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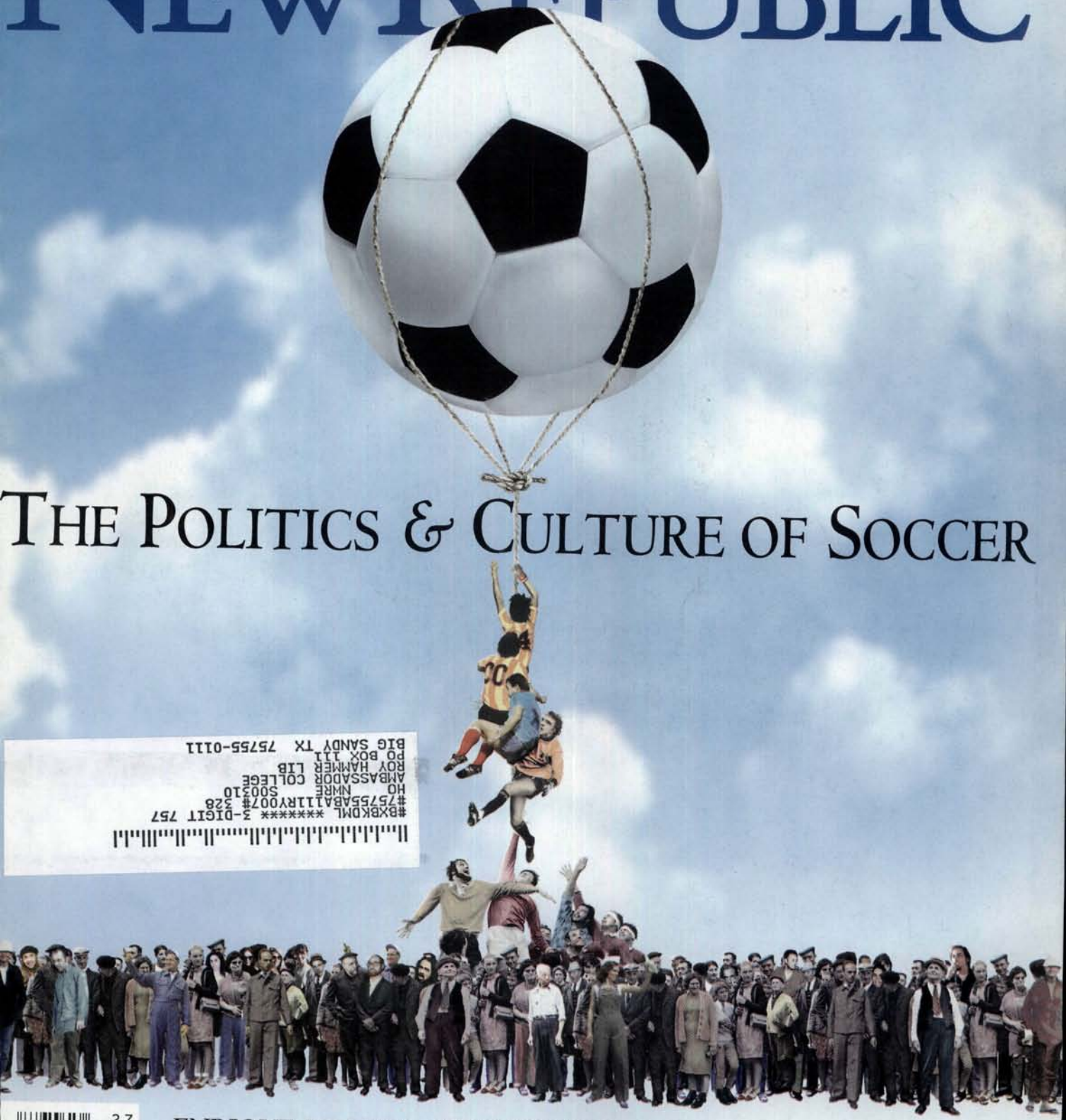
THE NEW REPUBLIC

JULY 4, 1994 · $2.95



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THE NEW REPUBLIC

REC'D JUN 2 1 1994

A Weekly Journal of Opinion

JULY 4, 1994

FOUNDED 1914
WASHINGTON, D.C.
ISSUE 4,146

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THE NEW REPUBLIC, Vol. 211, Number 1, Issue 4,146, July 4, 1994. (Printed in the U.S. on June 15, 1994.) Published weekly (except for combined issues dated Jan. 10 & 17, July 18 & 25, Aug. 22 & 29, and Sept. 19 & 26, 1994) at 1220 19th Street, NW, Washington, DC 20036. Telephone (202) 331-7494. The New Republic Advertising Sales Office (212) 702-4882. Yearly subscriptions, $69.97; foreign, $99.97; Canada, $84.97. Back issues, $3.50 (includes postage & handling). © 1994 by The New Republic, Inc. (ISSN 0028-6583). Second-class postage paid at Washington, DC, and additional mailing offices. Indexed in Readers' Guide, Media Review Digest. Microform, CD-ROM, issue and article copies are available through University Microfilms Intnl., 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone 1-800-521-0600. Internet mail address: editors@tnr.com Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a stamped, self-addressed envelope. Subscribers: Please send all remittances, changes of address, and subscription inquiries to Subscription Service Dept., The New Republic, P.O. Box 602, Mount Morris, IL 61054. For subscription problems call 800-827-1289.

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CORRESPONDENCE

Groupies

To the editors:

Jonathan Rauch's "The Hyperpluralism Trap" (June 6) may have a real point to make, but Rauch buries it under a mass of sloppy argumentation. First, the environmental laws that have led to the very substantial improvement of our air and water and the protection of many species over the past twenty years perfectly fit Rauch's principles for good governmental action. Their benefits are universal and long-term. Moreover, as is consistently shown in opinion polls, they are in general supported by a broad societal consensus. Rauch's sneer that they "reflect the priorities of people who buy BMWs and brie more than the priorities of people who buy used Chevies and hamburger" is an insult to the intelligence of the latter and is way off the mark.

Second, hyperpluralism is not like hyperinflation. There is little evidence that the kind of positive feedback that drives inflation is operating in the growth of groups. Certainly, hyperpluralism cannot share the most striking feature of hyperinflation: its unboundedness. One can print quadrillion dollar bills; but there is a reasonable limit to the number of groups that any individual will join, and to the percentage of income that he will send them.

Third, lobbying is not necessarily bad. Lobbying for bad things is bad; lobbying for good things is good. If Rauch thinks that a balanced budget is a good thing, he can certainly find a lobbying group that will push his point of view. Lobbying for a clean environment and for civil rights has in general been a good thing. If not for the groups that lobbied hard for these goods, I very much doubt that we would ever have gotten them from the quiet wisdom of an undisturbed government, let alone from a Tammany Hall.

ERNEST DAVIS
New York, New York

To the editors:

Jonathan Rauch weakens his argument against special interest groups by lumping them all together. Inarguably, the unions, the tobacco lobby, AARP, et al., "queue up" for financial gain—their motivations are unabashedly economic. But gay groups, environmental groups and even the NRA are in Washington to protect their members from (real or perceived) threats to a lifestyle. It is unfortunate that Rauch uses gay groups as an example; their inclusion in his argument reinforces the idea that gay people are out for "special treatment" rather than equal rights.

These groups are not out for cash; rather, they are simply playing out national social conflicts where national policy decisions get made. Of course, the social policy lobbyists themselves have a vested financial interest in convincing their constituents that the government is about to take guns away from gay people and imprison them in the national parks, but the plethora of pluralism that Rauch decries is as much about social issues as economic ones. Since his four solutions address only the struggle for the economic pie, he should have either omitted from his argument any mention of the groups whose struggles are moral and social in nature, or offered solutions as to how to end the conflict between these groups—a more difficult problem to solve.

ORLAND OUTLAND
San Francisco, California

Tilting back

To the editors:

Notwithstanding what Fred Barnes says in his June 6 article "The Tilt," Republicans aren't likely to win either a historic or even a sizable number of new seats in the next Congress. The reason? Since Bill Clinton in 1992, like George Bush in 1988, actually *lost* seats for his party during the general election, the president's party has fewer seats to lose in the midterm elections. Typically, sizable midterm election losses for the president's party have followed gains made by the same party during the presidential election. When a president's party loses seats coming into office—as happened in 1960, for example—midterm losses are minimized relative to the historical averages. Presidents just don't have very long coattails anymore. Consequently, they have a difficult time adding members of their party to Congress during the presidential election, but they also have less to fear from midterm election losses.

Still, it makes good political sense for the Clinton White House to play up the number of congressional seats that may be lost to the Republicans. Raising public expectations about the possibility of Democratic losses in November has two potentially positive effects for the White House. It will mobilize Democratic campaign financiers and voters, and, when Democratic losses turn out to be less than publicly anticipated, the Clinton administration will be able to claim victory from defeat.

MARK P. PETRACCA
Irvine, California

Exploitative

To the editors:

It has often struck me as ironic that at a time when an individual's gender is less determining than at any other time in history, the issue has become obsessive with so many people. Of course it's easier to see these issues from outside them. But Alan Wolfe's "The Gender Question" (June 6) surely hits wide of the mark. In my experience women exploit men (and other women) as often and as destructively as men exploit women; people referring to past societies tend to forget that cultures that subjugated women usually subjugated men as well—in classical Greece well over half the population was enslaved, male or female, and only a tiny percentage of the population had any decent kind of life at all. The ultimate exploiter is Nature, which makes us all food for someone else.

The issue is not how women have suffered, but how we can all break the cycle of exploitation imposed on us by Nature. No feminist theory advances this purpose.

C. HOLLAND
Eureka, California

Scattershot

To the editors:

David Caute's review of *Double Lives* ("Assignment in Utopia," May 30) begins by saying that if my thesis is correct, "our" understanding of the Popular Front will need "complete revision." Yet Caute fails to produce even a crude summary of that thesis. He sidesteps most of the arguments in *Double Lives*, filling pages instead with scattershot invective about my scholarship. What he has produced is an inventory of misrepresentation.

With the Popular Front, the Comintern in 1935 reversed its long-standing hostility to the non-Stalinist left by claiming to welcome all "people of good will" in the fight against fascism. Caute feels this event deserves more sympathy than I do. Of course the Popular Front generated great good will—or it might have, had it been honest. The (hardly original!) thesis of *Double Lives* is that Stalin ran the Popular Front in strict coordination with his true policy focus: the Great Terror. The Front's "openness to diversity" was put forward simultaneously, and in concert, with preparations for the most murderous imposition of ideological conformity in modern history. The

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Front cannot be understood except in conjunction with the Terror, and was to some significant degree its propaganda facade—yet not one reference to the Terror appears anywhere in Caute's review.

A leading figure in *Double Lives* is the Comintern propagandist Willi Münzenberg, about whom Caute assumes a condescending tone of authority. Virtually everything he says about Münzenberg is wrong. "Willi Münzenberg was murdered in 1940," he writes, "for choking on the Hitler-Stalin Pact." This slapdash statement is out-of-phase with current scholarship. Münzenberg's death remains mysterious; it may have been a suicide. Also, there is no evidence linking Münzenberg's end to his rather mild protest over the Pact, while abundant evidence shows his life in danger long before. Münzenberg saw himself at risk by October 1936; by 1937 he was certain a visit to Moscow would lead to his execution. Caute claims I depict Münzenberg as "attached to the NKVD-KGB and Military Intelligence." This statement falsifies my text—after which Caute brushes aside clear evidence for Münzenberg's association with the Comintern secret service.

Caute also assails as "wild" my speculations on Georgi Dimitrov's acquittal in the Reichstag fire trial. He first misreports my analysis of Dimitrov's arrest (*Double Lives*, pages 56-57). In fact, I express skepticism about the theory that Dimitrov was arrested as part of the conspiratorial staging of the trial; my speculation is that a secret arrangement was made after the arrest. He then ignores entirely my actual evidence for this arrangement (Fischer; Gross; Semerdjiev; Malraux; Koestler; the Fischer archives; documents in the Comintern archives). He ends by tossing off a reference to "long-known evidence for a last-minute agreement between the Nazi and Soviet Intelligence services ... for the eventual release of the Bulgarian Communists." What "long-known" evidence?

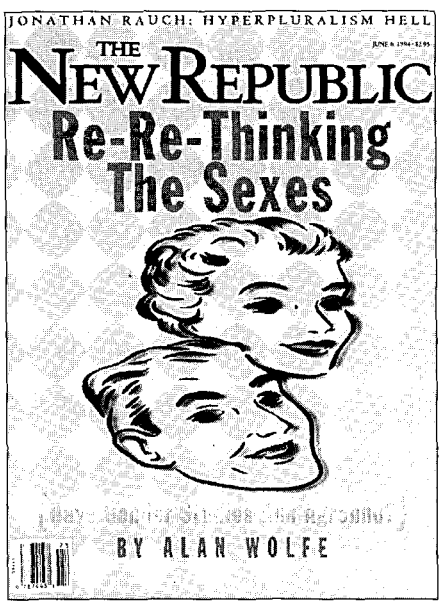
In the 1970s a wave of writing began to appear seeking to affirm the "independent" (i.e., non-Stalinist) "leftism" of many figures previously seen as tainted by the regime. Caute cites some of this work; he shares many of its attitudes. Yet since 1991 it has become steadily clearer that Stalinism was more, not less, intrusive in the Western intellectual life than has been previously thought. There were indeed many heroic and—yes—"independent" leftists in that era. The anti-Stalinist left could claim many. But sentimentalism over the Popular Front does them no honor, and I frankly doubt its refurbished rhetoric has a particularly bright future in the new age that has dawned.

STEPHEN KOCH
New York, New York

David Caute replies:

According to Stephen Koch, "Not one reference to the Terror appears anywhere in Caute's review." Really? In my first paragraph I began by mentioning "the purges, the gulag and Thought Crime." Later I quote Koch's opinion that the Popular Front "used the claims of 'anti-fascism' to keep enlightened sympathizers in line as the Great Terror ran its course." Koch then raises the question of Münzenberg's death in 1940. "It may have been suicide," he writes. And yet, having examined this possibility in *Double Lives*, he concludes (page 319) that Münzenberg was probably murdered.

Koch writes: "Caute claims I depict Münzenberg as 'attached to the NKVD-KGB and Military Intelligence.' This falsifies my text." On page 335 of *Double Lives* we



read: "The [Moscow] Archives clearly show that Münzenberg and his lieutenants always coordinated their work with the secret service of the Comintern .... [and] those lieutenants were covertly attached to other secret service arms of the government: to the foreign wing of the secret police (the 'INO' of the NKVD-KGB) and to the GRU, or Military Intelligence." Is Koch asking that this last sentence be read as referring only to Münzenberg's lieutenants, and not to Münzenberg himself?

Koch complains that I misreport his analysis of Dimitrov's arrest, adding: "In fact, I express skepticism about the theory that Dimitrov was arrested as part of the conspiratorial staging of the trial...." I quote his book (page 57): "It would appear that Dimitrov's true assignment may well have been simply to enter Germany as conspicuously as possible, and be arrested, arrested quite intentionally...." Koch later mentions the skepticism of a Bulgarian source but, if Koch agrees, why did he leave his own claim on the page?

Noncontroversial

To the editors:

In "Boom Booming" (June 6), Larry Engelmann and Roy Rowan claim that, in order for the Chinese to win "a bidding war with South Korea to build several 053-type frigates for the Royal Thai Navy," the Chinese "offered to equip the ships with high-powered LM2500 gas turbines purchased from General Electric." "Theoretically," the authors state, "China was prohibited in its contract with G.E. from reselling the engines."

In truth, the business deal was a straightforward, noncontroversial contract between G.E. Aircraft Engines (GEAE) and China Shipbuilding Trading Company, Limited (CTSC). In August 1989 GEAE sold four LM2500 marine gas turbine engines, with associated spare parts and accessories, to CTSC expressly in support of that shipyard's contract with the Royal Thai Navy. The validated export license issued by the U.S. Department of Commerce in connection with this transaction expressly authorizes the shipment of these gas turbines to Beijing, through Shanghai, for shipment as part of the completed frigate to the ultimate consignees, the Royal Thai Navy. We have a copy of this export license on file.

We definitely believe that the advantages of LM2500 propulsion may be used to clinch a deal with a discerning customer. However, we are not aware of anything that calls into question the propriety of our contractual dealings with the Chinese in this matter.

DWIGHT E. WEBER
Manager, Communications and Media Relations
G.E. Aircraft Engines
Cincinnati, Ohio

Buxom cows

To the editors:

Are spiritually progressive aliens likely to kidnap/rape/sermonize homo sapiens ("The Doctor's Plot" by James Gleick, May 30)? As likely as we humans are to pursue physical intimacy with a sea anemone and then give it a lecture about not crowding out the sea cucumbers on the neighboring reef. Or more directly: Why would swingers from Alpha Centauri romance ours out of the millions of species of animals on the planet (not including the plants and fungi)? After all, bears (or mosses) are fuzzier, cows more buxom and tortoises more coy.

ANDREW REISNER
Cambridge, Massachusetts

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FROM WASHINGTON

Flopulists

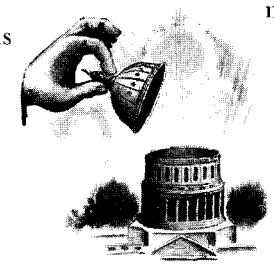
On page 114 of his book *The Agenda*, Bob Woodward describes a February 1993 meeting between White House political consultant Paul Begala and Deputy Budget Director Alice Rivlin. "Rivlin was on the phone and eating a chicken salad sandwich, which Begala noted was dripping from her chin," Woodward reports. Nasty little detail, that. The obvious question is why Begala—who else could the source be?—would dish it to Woodward. The obvious answer is that people dish to Woodward about others because they fear others are dishing about them.

Begala would seem to have nothing to worry about in that contest. No food drips from his chin in Woodward's book. Indeed, he and his three fellow consultants—James Carville, Stanley Greenberg and Mandy Grunwald—provide Woodward with his main plot line, the story of how they tried valiantly but unsuccessfully to prevent Clinton's presidency from being "hijacked" (Greenberg's word) by Wall Street types obsessed with cutting the deficit. On one side, as Woodward sets it up, are the "populist" consultants concerned (in Woodward's characterization) with "the guys in the bowling alleys of America who deserved a break." On the other are various Beltway economists and Federal Reserve Chairman Alan Greenspan. Their goal is to appease the bond markets and bring down long-term interest rates. Kevin Phillips, another professional "populist," reviewed Woodward's book for *The Washington Post*, calling it the story of how Clinton's administration was turned "away from its historic little-folks economics" toward "crypto-Republican economics."

But there is no need to wait for another book in which Begala's enemies make their case against him and his "populist" allies. Woodward, with Begala's unwitting help, has already written that book. Begala may have the edge in colorful invective (he calls Budget Director Leon Panetta "The Poster Boy for Economic Constipation") but time and again in *The Agenda* the "populist" consultants are shown offering Clinton advice that turns out to be politically dumb as well as economically foolish. Am I exaggerating? Let's go to the text:

Page 28: Clinton, after being lectured by Begala and Carville, makes the promise of a middle-class tax cut a central part of his campaign. The pledge immediately becomes a liability in New Hampshire, where Paul Tsongas derides it as pandering. Shortly after being elected, Clinton abandons the promise as unaffordable. Focus groups show that voters hadn't expected to actually get a tax cut and thought it a bad idea anyway.

Page 36: Carville rejects the idea of attacking the federal deficit, arguing, "Why does a dog lick his dick? Because he can. Why don't we balance the budget? Because we can't."



Page 94: Greenberg learns that Clinton (now president) is considering an energy tax to help close the budget gap. He is furious that Clinton would consider imposing a new burden on the "forgotten middle class."

Page 126: Begala confronts Clinton and tells him he's "too obsessed with the deficit. This is all about how elite economists see this." He asks Clinton, "Why are you listening to these people?" Clinton tells him to cram it.

Page 129: Carville threatens to break ranks and personally lead a campaign against any new energy tax.

Page 190: Grunwald says Clinton's economic aide Gene Sperling has "become a pod person" because he favors focusing on a simple message of deficit-cutting.

Page 197: Grunwald prepares a populist attack on Senator David Boren, whose vote Clinton desperately needs to get his budget out of the Finance Committee. Senate Majority Leader George Mitchell calls off the attack. Grunwald goes into a "near depression."

Page 227: Greenberg sends Clinton a memo arguing that he must choose between emphasizing deficit reduction to please congressional moderates and a "real-world" message of economic growth that will please voters.

Page 229: Members of Congress report that voters are demanding ... well, deficit reduction.

Page 241: Greenberg's polling also shows that, contrary to what he and the other consultants have been urging, Clinton's most effective "message" is deficit reduction.

Page 242: The point of maximum insanity. After a protracted struggle, both houses of Congress have passed budget bills containing either energy or gasoline taxes. But to become law, the bills need to be "reconciled" and passed again. At this delicate moment, the consultants dramatically produce a four-page memo, each copy numbered and stamped "CONFIDENTIAL." The memo urges Clinton to drop all the hard-won energy taxes. The consultants call this the "bold zero option." Clinton would then be able to boast that he imposed no taxes at all on the middle class. Greenberg enlists Hillary Rodham Clinton's aid in provoking an emergency meeting in the White House solarium. Even a small 4.3 cents-per-gallon gasoline tax, Greenberg declares, would "remain in people's consciousness through our administration." Begala argues that, rather than take the risk of imposing such a tax, Clinton should simply lower his deficit-reduction figure by $20 billion. This is too much even for Carville, who breaks ranks and says, "We have to stick with something."

In the end, of course, the consultants' "bold zero option" was rejected. Clinton's budget passed, gas tax included, and this victory at least temporarily revived his presidency. A year later the tax is a nonissue, forgotten by the voters.

In economic terms, too, it turns out that Clinton's plan worked more or less the way the "elite" economists said it would. The purpose of cutting the deficit was never to somehow "please" Wall Street bond-traders and produce lower interest rates. The purpose was to avert long-term decline by stopping the government from soaking up savings that could otherwise be used by the private sector to boost future productivity. The point about interest rates, made by Greenspan and others, was simply that if they went down, then this needed deficit reduction could be accomplished without sending the economy into a recession. That is, so far, what has happened. It's no small achievement.

But Begala, Grunwald, et al., weren't hired to give economic advice. They were hired to give political advice. Their advice was that middle-class voters needed a "story" with "heroes and villains." If the voters' economic position had worsened, that must be because someone (the "rich," the "evil pharmaceutical companies") was doing it to them. They were incapable of confronting a problem such as the deficit, in which the most obvious culprits were the political demands of middle-class voters themselves. That, anyway, was the "populist" counsel. It was quite spectacularly wrong. Luckily, Clinton didn't take it.

MICKEY KAUS

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THE NEW REPUBLIC

JULY 4, 1994

COURTING DAMASCUS

Six months ago shuttle diplomacy in the Middle East was crucial to smoothing out the details of the power transfer in Gaza and Jericho. Now, it has become a way for Secretary of State Warren Christopher to keep his job. In the best defense of Christopher he could muster, President Clinton recently told *The Los Angeles Times*, "We've got delicate negotiations in the Middle East right now and the secretary of state is involved and . . . the last thing in the world I need to be doing is considering changing my team." Christopher needs to unyoke his fate from the Middle East shuttle and find validation elsewhere. The task he plans to tackle this summer—brokering an Israel-Syria agreement—may be delicate, but it is not urgent. In fact, forcing an agreement can do damage, by scaring an already skittish Israeli public off the entire peace process altogether.

While the transfer of power in Gaza and Jericho has been fairly smooth, Israelis have yet to acclimate themselves to the new—and somewhat precarious—order. Two days after the army pulled out of Gaza two Israeli soldiers were killed. And the recent rift over Jerusalem has Israelis really spooked. First, there was Yasir Arafat's speech in South Africa, in which he called for a jihad to liberate Jerusalem. Then there was the document Arafat used in his defense—a letter written by Israeli Foreign Minister Shimon Peres referring to East Jerusalem as a separate entity. Following these events, polls showed that 63 percent of Israelis opposed continued negotiations with the PLO on more self-rule in the territories. Besides, peace with the Palestinians is more important than peace with Syria, and the arrangements with the Palestinians have not yet been reciprocated. We should perhaps see how these finally turn out before pushing Jerusalem into an embrace with Damascus.

To soothe their insecurities about events in the West Bank, Israelis are coalescing around security issues in the Golan Heights. It's hard to underestimate the symbolic salience of the Golan, a plateau overlooking one-third of the country, which Israel captured in 1967 and more or less annexed in 1981. The arrival of intermediate-range missiles has made a repeat of the 1973 tank battle in the Golan less likely. But memories of Syrian shelling of settlements in the Huleh Valley below from 1948-1967 and of a nearly successful Syrian attack into Israel in 1973 make the Golan a powerful symbol of vulnerability.

It might be worth asking the Israelis to swallow their fear if Syria agreed to meet them halfway. But while Israeli Prime Minister Yitzhak Rabin took a huge leap in May when he offered Syria a phased withdrawal from the Golan, Syrian President Hafez al-Assad is not budging. Never mind a grand and irreversible gesture, like former Egyptian President Anwar Sadat's visit to Jerusalem; Assad has refused even the most mild of confidence-building measures, such as allowing an Arab Israeli journalist to interview him, or helping to locate a handful of missing Israeli servicemen (compare that to Israel's ongoing release of thousands of Palestinian prisoners, many of them convicted of terrorism and murder).

Meanwhile, Rabin has offered a three-phase withdrawal over five to eight years, asking that Syria establish diplomatic relations after the first phase. In response, Syrian Foreign Minister Farouk al-Shara dismissed the timetable as "silly," and stuck to his position that all of the Golan must be returned before Syria makes any concessions. Assad has spurned offers of direct talks, instead relying on terse, minimal exchanges filtered through a third party. Even Rabin is losing patience.

Assad's intransigence is a sign he may not even be ready for a cease-fire, much less peace. Peace with Israel would require a deep change in the nature of his regime. It would force Assad to accept responsibility for attacks on Israel launched from Syrian-controlled southern Lebanon. Allowing an Israeli flag to fly over an embassy in Damascus, ending the boycott of Israel, letting Israeli tourists roam through the Hamdia market—all require an openness anathema to Assad. (Normality is never easy in an abnormal region. While there have been many Israeli tourists in Egypt for years, there are almost no Egyptian tourists in Israel.)

Delaying the next round of shuttle diplomacy does not mean giving up on the peace process in the Middle East. It means giving it time to proceed properly. Besides, there is something bizarre about the priorities of an administration that refuses to send troops to defend helpless Bosnians, or starving Haitians, but is willing to send them into a potential war zone in the Middle East to protect a country that is perfectly capable of protecting itself. Sure, achieving comprehensive peace is a worthwhile goal. But it should be measured by the Middle East's needs and realities, not by Warren Christopher's. •

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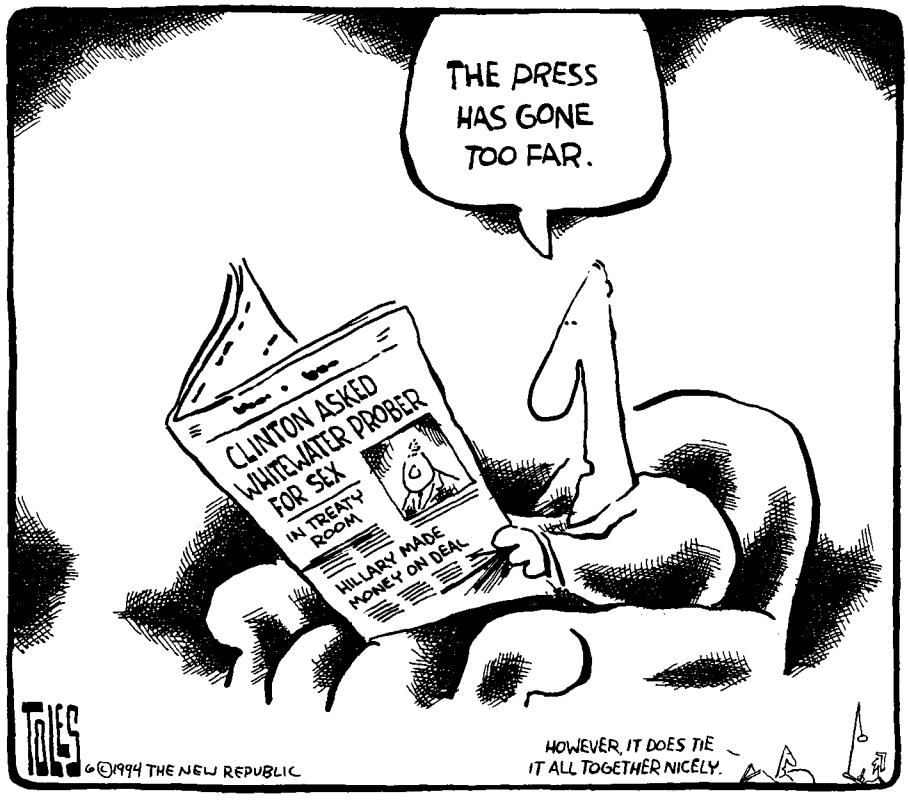
NOTEBOOK

FALL GUYS: Last year the Clinton administration, buffeted by criticism of its foreign policy failures, pretended to deal with the problems by unceremoniously dismissing Deputy Secretary of State Clifford Wharton. Now the ax has fallen on Stephen A. Oxman, the assistant secretary of state for European and Canadian affairs. He will be replaced by Richard Holbrooke, the flamboyant Asia expert whose Europe expertise derives mainly from the last eight months, during which time he served as ambassador to Bonn (his consolation prize for not getting Tokyo). To be sure, American policy on European matters, especially Bosnia, has been a mess. But it's not Steve Oxman's fault. And it's a mystery why Dick Holbrooke is thought to be the cure for the ailment. Oxman was charged only with the thankless task of carrying out the wobbly notions of President Clinton and Secretary of State Warren Christopher. It was Christopher who publicly alienated the Europeans in the first place by declaring his view that Asia was much more important than Europe. We see a pattern here. Christopher seems to be skilled at only one thing: protecting his own job by deflecting blame downward. We wish the president would notice.


THE PRESS HAS GONE TOO FAR.
CLINTON ASKED WHITEWATER PROBER FOR SEX
IN TREATY ROOM
HILLARY MADE MONEY ON DEAL
TOLES
©1994 THE NEW REPUBLIC
HOWEVER, IT DOES TIE IT ALL TOGETHER NICELY.

CAN YOU TOP THIS?:

Record low Netherlands turnout in Euro-poll

—*Financial Times*, June 10

Eight years ago we launched a reader contest for the most boring headline ever. We hereby invite you (once again) to spend the early summer finding a more boring headline than the one above. A free subscription (and a double espresso) to the winner.

DIPLOMACY 101: We weren't privy to the negotiations with the Chinese over Most Favored Nation trading status last month. But we wonder if the issue of North Korea came up. The United States is now in the precarious position of building a coalition to put pressure on North Korea to start obeying minimal standards of nonproliferation behavior. The two countries with the most economic leverage over Korea are China and Japan, and both are now balking at the American pleas. How this can be remains a mystery to us. We have just completed major negotiations with both countries, where we essentially capitulated—on the issue of human rights in China and numerical targets for imports in Japan. Couldn't a deal on Korea have been the quid pro quo? Or did we get absolutely nothing out of the bargain? We are left with the depressing conclusion that once again, the administration has so transformed foreign policy into trade policy that it cannot see that economic relations are always and everywhere linked to political and military ones.

ON THE ONE HAND...

80% pass exam for graduation

—*The Atlanta Journal*, May 12

20% fail exam for graduation

—*The Atlanta Constitution*, same day

(Thanks to Judson Mitcham, Macon, Georgia.)

State Trooper Rebuts Jones's Sex Allegations

—*The Washington Post*, June 11

Trooper confirms Jones' visit

—*The Washington Times*, same day

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PORTLAND POSTCARD

THORNY

By Robert Sullivan

At a news conference in the basement of the Friends' Meeting House on a bungalowed side street of Portland, Oregon, Susan Hunter described the evening in late April when her daughter, Ismoon Hunter-Morton, walked into her bedroom to say that she was upset over the imminent coronation of Portland's Rose Festival Queen and her court of Rose Princesses. Hunter took down a copy of *The Sisterhood*, an anthology of feminist writings, showed her daughter the passages that dealt with the objectification of women through beauty pageants and encouraged her to speak out. Soon after, Hunter-Morton and her friend, Katherine Yoshihara, staged a protest at the coronation of their high school's princess, after which the two young women were, in Hunter's words, "pelted with curses" by their Cleveland High School classmates. But their work paid off. Days later Hunter-Morton, Yoshihara and two other girls were featured on local newscasts and in the *Oregonian*. And now, in the meeting house basement, with news cameras rolling, the two high school rebels, dressed appropriately in baggy T-shirts and jeans, were listening eagerly as friends, relatives and kindred spirits spoke in opposition to the queen at the forum they had organized.

"I think that we've uncovered a huge aspect of the Rose Festival," Hunter-Morton said into the bank of microphones.

"Those four women broke the sound barrier," Hunter said when it was her turn to speak, adding, "Ismoon risked her scholarship to Antioch."

As the nation's mayors rolled into Portland last weekend for their national conference, they had more than just welfare reform to chat about while eating dinner at Nike World: they had been witness, from their special bleachers in front of the Hilton, to one of the oldest

My Two Cents

A Poem by Larry King

Dick Van Dyke is the most enduring of television superstars.
Burt Reynolds improves the screen by being on it.
Kris Kristofferson never fails to move me.
Tommy Lasorda's pasta sauce is very, very good.

I get a good feeling when I see a police officer on a horse.
I've never been a big fan of daylight savings time.
I never get tired of listening to Canada's national anthem.
I wonder what I'll find if I ever get around to cleaning out my glove compartment.
I always feel 100 percent better after a really good manicure.

How can people eat huge meals when it's hot outside?
Chinese food tastes better Sunday nights.
Doesn't pink grapefruit taste better than yellow standard grapefruit?
I will not return to a restaurant that doesn't have skim milk at all times.
Jell-O is still one of the all-time great desserts.

If the first call of the day is a good one, then all of them usually are.
Parking violations officers who enjoy their jobs are sadists.
You want a clean city, my friend, you want Salt Lake City, Utah.
The designs of the new ties are better than ever.
The dumbest of all human attitudes is racial prejudice.
Milk cartons are not easy to open.

Is there a better feeling than having to sneeze and then sneezing?
Don't you believe Kermit and Miss Piggy are real?
Do you think you could explain satellite dishes to Thomas Jefferson?
Do men still wear pinky rings?
How do women choose among all the lipsticks available to them?
How do you celebrate flag day?

SAM JOHNSON AND CHRIS MARCIL write for MTV's "Beavis and Butt-head." This poem was culled entirely from Larry King's column in *USA Today*.

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and largest city festivals in the nation. For two weeks each June Portland is transformed into the magical realm of Rosaria, over which the chosen queen rules from the moment of the coronation, televised live on KOIN-TV, the CBS affiliate. Her cabinet consists of a bunch of men and a few women dressed in white suits, white shoes and straw hats, who parade through the city and have titles like "prime minister." Started in 1904 as a publicity stunt—Portland's business community thought roses might boost the town's tree-stumped, backwater image—the festival is the Chamber of Commerce's pride and joy.

The royal selection begins in the spring, when high schools around the city pick their respective princesses. With a zealotry reserved only for Tonya Harding, the Portland Trailblazers and gangs (its newest obsession), the *Oregonian* publishes constant coronation updates. Potential princesses must be seniors, have a grade point average of at least 2.75 and exhibit good citizenship; they are then judged on leadership, scholastic achievement, school activities, civic involvement and—the categories that especially irk the protesters—appearance and poise. "Can anybody tell me what poise is?" a woman asked at the Friends' Meeting House. "Does it have anything to do with submission?"

After she is crowned, the queen spends the two weeks of the festival traveling about with her court, and in the emotional finale, waves her hand in papal fashion from the Rosaria float in the Rose parade. (The Rose parade is the world's second-largest floral parade after Pasadena's. Recent participants include the Molalla Buckaroo Queen of Molalla, Oregon, and the Oregon 4x4 Association, whose float was decorated with the phrase, "SHARED TRAIL USE IS NOT A FANTASY.")

All of the events inspire civic passions long gone in other parts of the country. For instance, the goldsmith in the office across the hall from mine believed that this was her year to find the festival medallion that was hidden somewhere within the city limits; and each day, after reading the *Oregonian*'s printed clue, she set off to find it, looking in woods and parking lots and bushes, hoping to win a Plymouth Neon. (She didn't.) In March, when a man discovered two dead bodies in the back of a van, he immediately expressed the hope that it would somehow improve his medallion-hunting fortunes in 1994. For those less treasure-hunt-oriented, there are dragon boat races, airshows, Paula Zahn appearances and a waterfront Fun Center. Two weeks ago it was reported that Harding and Jeff Gillooly had checked into a downtown hotel, presumably to be close to the fun.

Twenty naval vessels also dock on the Willamette River for the festival—some of those protesting the Rose Queen are also protesting the military presence—though the passions the sailors inspire are largely ignored. According to Portland's Council for Prostitution Alternatives, when the Navy is in town local prostitutes end up servicing eighty clients a day (though it's not clear how that statistic is calculated). Susan Hunter works for the council. "Thousands of sailors arrive in Portland with the intention of having sex by any means necessary," Hunter said at the Friend's Meeting House. Portland's prostitutes, she added, "are the bedrock for these Rosarians." Though a nurse at a local abortion clinic published a letter in the *Oregonian* two years ago describing a surge in patients six to eight weeks after the festival, coverage of this side of Rosaria has been otherwise limited. News reports mainly emphasize how much the sailors enjoy the event.

Despite the efforts of Hunter-Morton, Yoshihara and others, things didn't change all that much this year. The evening of anti-Rose Queen testimony got attention from all of Portland's major news outlets, but the T.V. cameras left a few minutes after it began and the newspaper neatly avoided reporting on the prostitution issues. Moreover, from a queen-selection perspective, the protesters picked a bad year to make their point. On June 2, when a grinning Rosarian shoved the crown crooked onto the queen's head with his white-gloved hands, the recipient was Joy Lawrence of Lincoln High School. And while Queen Joy looked beautiful, and the event had the whiff of a Miss America pageant, she did not fit the stereotype of an emaciated supermodel. She was chosen in part for another distinction: as placekicker for the Lincoln High boy's football team, Joy Lawrence was the first football player in the festival's ninety-year history to be named Queen of Rosaria.

ROBERT SULLIVAN is a free-lance writer.

AFTER YOU'VE GONE

SPURIOUS GEORGE

By Jacob Heilbrunn

Of the members of the postwar American foreign policy establishment, George W. Ball was perhaps the most paradoxical. Celebrated by David Halberstam as the dove among the Vietnam hawks, Ball emerged from the war unsullied, while the reputations of the best and brightest flickered out in the Asian jungle. It was a curiously undeserved fate. In some ways, Ball had more to answer for than his peers. Like the founding fathers of the establishment, Elihu Root and Henry Stimson, Ball viewed the world in terms of a racial hierarchy. His opposition to the Vietnam War, contempt for Israel and high-minded trilateralist schemes all had their roots in a genteel disdain for non-European hoi polloi.

Ball's peculiar blend of iconoclasm and elitism began with his childhood in the Midwest, where he was born

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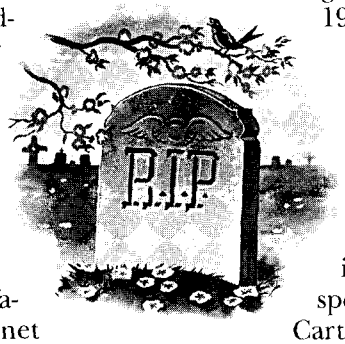
on December 21, 1909, in Des Moines, Iowa. His grandfather Amos, who immigrated from Devon, had a decisive impact on him. A participant in the agrarian revolt of the 1890s, Amos believed, as Ball admiringly put it, in the "God-ordained superiority of Englishmen." All his life Ball would hail British institutions, while mocking the histories of Asian peoples as "Kung Fu movies."

At Northwestern University, Ball's studies with the Harvard-bound English professor Bernard De Voto whetted his desire to enter the social elite. But not until he earned a law degree at Northwestern in 1933 and moved to Washington, D.C., to work on the New Deal did he begin to hover on the establishment's fringes. Working as an assistant in the Treasury Department, he began to cozy up to the acting secretary, Dean Acheson, by playing handball with him at the Hotel Ambassador.

Ball's establishment career took off when he returned to Chicago: working with Adlai E. Stevenson at the Sidley, McPherson law firm. He faithfully attended the Friday lunches of the Chicago Council on Foreign Relations, presided over by Stevenson, and in 1940 became a member of the "William Allen White Committee to Defend America by Aiding the Allies." During the war he worked first as a Lend-Lease administrator, then directed a study on the effects of strategic bombing on Germany. The results left him with a lifelong skepticism of the efficacy of the bombing of civilians—a factor that helped immunize him to the army's inflated claims of success in Indochina.



With war's end, Ball left government and worked as general counsel for the godfather of European unity, Jean Monnet. Monnet not only confirmed Ball's Atlanticist spirit, but also instilled in him an obsession with grand organizational schemes that clinically related overall need to overall production and potential capacity. But as Kennedy's undersecretary of state for economic affairs, Ball's racial stereotyping came into play. Ball may not have gone as far as his old mentor, Acheson, who allied himself with the defenders of white Rhodesia and declared that Africans were "wholly incompetent to manage their own affairs," but he shared the sentiments. So the crowning irony for Ball was that he finally rocketed to the fame he craved not on the issue of American relations with Europe, but on the very issue—Vietnam—that he wanted the United States to ignore. Indeed, Ball's opposition to the war was above all rooted in his racial attitudes: the French and Germans might be integrated into a single society, but not the Hoa Hoes and Cao Dailes of Vietnam.

Though Ball later portrayed himself as an ardent opponent of intervention under Kennedy, the truth is rather different. For the most part, Ball kept silent, unwilling to risk his promotion to undersecretary of state. Nor did his stance change dramatically under Lyndon Johnson. Despite his much-ballyhooed opposition to the war, Ball, as LBJ put it, "is the only man I have ever known in government who, on five minutes instruction from the president, can take either side of a proposition." Or as another JFK appointee noted, Ball became "an intellectual whore" by playing the part of "his majesty's loyal opposition." In short, he was the house dove who defended the administration publicly and fought against the war in memos that eventually leaked.

In 1966, once he realized that LBJ would never make him secretary of state, Ball quit. He smoothly exchanged his nuanced opposition to the war for a shriller crusade against the Jews. He first directed his ire toward Henry Kissinger, for the rise of a foreign Jew to the post of secretary of state appears to have been particularly maddening. In articles and books, Ball used code words to insinuate that a Jew was incapable of conducting the affairs of a nation like the United States. Take *Diplomacy for A Crowded World* (1976). Ball ended an attack against Kissinger by concluding that realpolitik "is foreign to our instincts and experience—to coin a phrase, it is un-American."

In essay after essay, Ball pushed his new theme. The power of the Jews acting as "a mobilized American ethnic group," he contended in the Winter 1979-1980 *Foreign Affairs*, deprived the United States "of freedom of diplomatic action on issues that deeply affect its national interest." Indeed, "practically no actions touching Israel's interests can be taken, or even discussed, within the executive branch without it being quickly known to the Israeli government." Still, Israel's influence didn't stop Ball from heading a special task force on Iran for President Carter before the Shah's fall, after which he declared, "I would give the Khomeini regime from twelve to eighteen months at the very most."

Ball delivered himself of his final effusions in his book *The Passionate Attachment: America's Involvement with Israel* (1992), published with his son, Douglas. So diabolical were the Israelis that they managed to rob the United States of billions of dollars while permitting Shiite terrorists to attack the U.S. Marine barracks in Beirut in October 1982. The Balls depicted the Jewish state as having attacked the Arabs in 1948, 1956, 1967 and 1982. Published at the moment Yitzhak Rabin came to power, the Balls warned that any Israeli moves might be "one more deception in a seemingly endless series of abortive peacemaking efforts."

These were not isolated sentiments, but were part of an entire political sensibility. From fretting that the percentage of white Americans in the United States "fell by 4.3 percent" in the 1970s to fulminating about the "disruptive effect" of ethnic lobbies, Ball made his attitudes abundantly clear. He may have escaped Babbitry, but he remained a man of the establishment to the end.

JACOB HEILBRUNN is University Fellow at the Center for German and European Studies, Georgetown University.

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England's team—and England.

THE TURNIPS

By Nick Hornby

The best-selling sports video in England at the moment is titled "Do I Not Like That." The sports section of *The Independent on Sunday* newspaper contains a column called "Do I Not Like That." On T.V. a few weeks ago, the hosts of a satirical soccer program wore T-shirts bearing the phrase "Do I Not Like That." A recent C.D. release on the hip Too Pure label is titled "Pop (Do We Not Like That?)." In a T.V. advertisement for the yellow pages, a middle-aged, slightly nerdish man exclaims, "Do I not like orange!" when offered a choice of colors for the goods he wants to order. The nerdish man is Graham Taylor, until recently the coach of England's national soccer team, and it is he who has single-handedly popularized this peculiar locution.

ILLUSTRATION BY JANE HOLLOWAY FOR THE NEW REPUBLIC

We first heard it during a devastating fly-on-the-wall T.V. documentary about England's dismal attempt to qualify for the 1994 World Cup. (It is this documentary, retitled and extended, that has proved so popular on video.) England is playing Poland in a vital qualifying match in Katowice, and an English defender makes a crucial mistake; Taylor only just has time to utter his immortal line before Poland scores one of the goals that prevented England from taking part in the Cup. For some reason, it was all anybody could talk about the next day; perhaps the program itself was so bewildering, and so ineffably depressing (our failure to qualify for the Cup finals inspired considerable national introspection), that a weird and clumsy piece of phrasemaking offered us something to cling on to.

Taylor owes much of his career to Elton John, who for some years was the owner of Watford, his hometown team in the North London suburbs. Watford was a moribund minor league club when John bought it; he appointed Taylor, then enjoying some modest success with another lower-division team, almost as soon as he took over. With John's money and Taylor's coaching Watford rose through the divisions of the English football league, in 1983 finishing as high as third in the First Division, before John bailed out and Taylor moved on to Aston Villa. Taylor did O.K. there, too; he once again took a team that was struggling in the Second Division and coaxed it into the First, where it finished as championship runner-up in 1990.

Taylor's detractors—who at presstime include everybody in England, with the possible exception of Mrs. Taylor (although, come to think of it, she has been conspicuously quiet)—will point out that he was always the wrong man for the job of national coach, that his talent was best exhibited when he had to make the best of a bad job. Nobody was surprised by the appointment, however. Taylor's rivals were all too colorful, too flashy, too uncontrollable for a position that is regarded by the English soccer establishment as essentially diplomatic in character. In any case, the three best coaches in English soccer are Scottish.

If our football team had been going through one of its frequent periods of apparently terminal decline, Taylor might have been just the ticket, especially in the short term. But, in fact, England was playing its best football in twenty years: in the 1990 World Cup we finished fourth, and we were desperately unlucky to lose on a penalty shoot-out to West Germany in a thrilling semi-final. Taylor soon put a stop to all that, however. One of his first acts as coach was to drop midfielder Paul Gascoigne, British soccer's first authentic genius since George Best, and replace him with Aston Villa's Gordon Cowans, an aging journeyman who never played for England again. And that was just the beginning: tactics were changed with bewildering frequency, players were played out of position and Taylor stuck with old favorites from his former teams for much too long.

Within months the tabloid press started slaughtering him. When England lost badly to an average Swedish team in the 1992 European Championship, *The Sun*, Britain's most popular newspaper, printed the headline "SWEDES 2 TURNIPS 1"; the accompanying illustration

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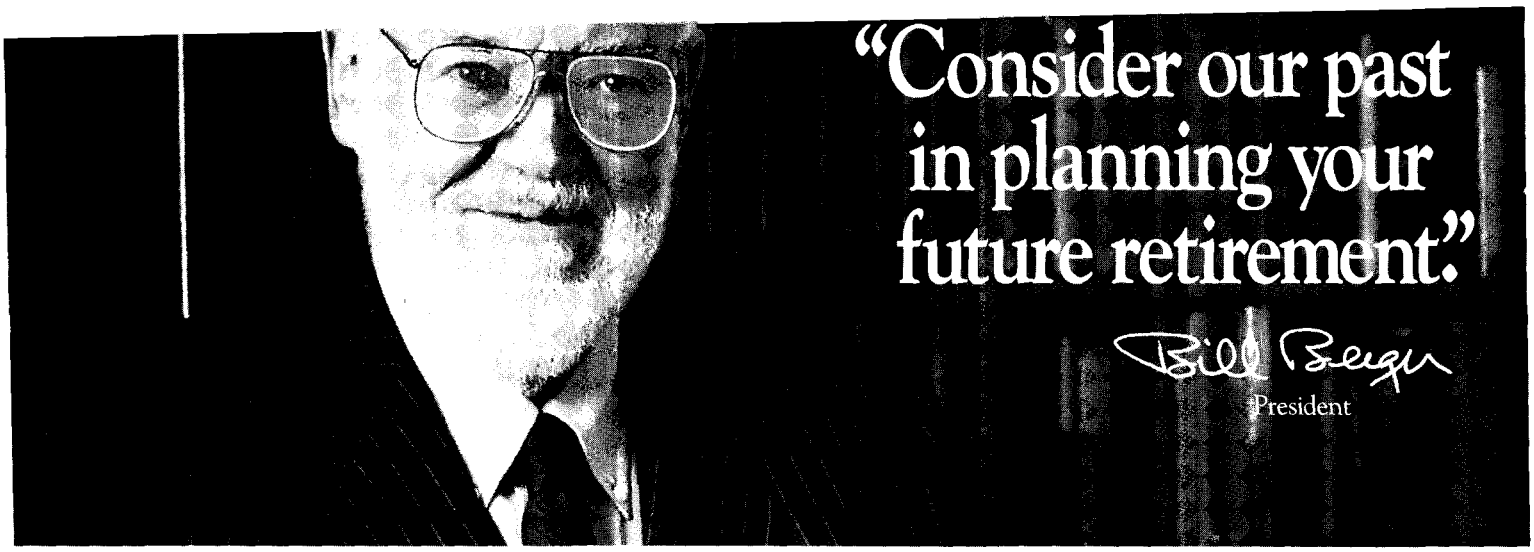

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figures in the table represent past performance and do not guarantee future results. These performance figures include changes in share price and reinvestment of dividends capital gains, which will fluctuate so that shares, when redeemed, may be worth more or less than their original cost. The figures include the deduction of 12b-1 fees beginning ine, 1990. This material was prepared by the Berger Funds. Shares can be purchased without transaction fees directly from the Funds.

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depicted Taylor's face superimposed over the relevant root vegetable. Another catastrophic loss, to the United States in a friendly match last summer, sent newspapers into an apoplexy of rage and bile—one printed an old-fashioned Western "WANTED" poster, showing a cartoon of Taylor riddled with bullets. It was vicious stuff, and Taylor soon began to feel the strain: after one game he was reduced to quoting Buddy Holly songs to explain his mood.

Eventually, and perhaps inevitably, Taylor started to resemble Prime Minister John Major. A nerdish man, with no qualifications for the big job, promoted above his station through a fortuitous and probably unrepeatable set of circumstances. Where have we heard that before? Frequently, as they each became more and more beleaguered, the two men would appear on the front pages together, the one apparently imitating the plight of the other, although it was difficult to tell who was deeper in the mire. And it is not too fanciful to suggest that many of Major's difficulties come from the same source as Taylor's: both share a deep suspicion of ideas emanating from Europe.

Taylor is what is known here as a "long-ball" man. He believes that the best way to play football is the traditional English way: namely, the defenders and the midfielders kick the ball very hard into the air, and a forward chases after it. In truth, it is not a terribly sophisticated tactic, and none of the other soccer nations plays this way anymore; perhaps not entirely coincidentally, they qualify for tournaments—hell, sometimes they even *win* the things. (England has failed to qualify for three of the last six World Cups, and it hasn't won anything for nearly thirty years.) Taylor doesn't see it that way, however, and neither did the ancient, reactionary clowns at the Football Association who appointed him. There was a much better candidate for the job, Terry Venables, a man with European experience and a reputation as a sophisticated tactician, but his ideas (and, to be fair, a number of questionable business dealings) were too much for English football's governing body. You could exchange the whole of the Football Association for the whole of the Conservative government, and it would take years before anybody noticed.

When England's attempt to get to the '94 Cup finally ground to a catastrophic halt (we even managed to go a goal down to the tiny Republic of San Marino), Taylor resigned, and the nation celebrated. Venables was given the job, and a couple of weeks ago his new team beat Greece, one of the qualifiers for USA '94, 5-0; the Greek coach observed that if England were playing in the World Cup, we would be one of the favorites. Meanwhile, we have returned to what we do best: celebrating failure. What other nation would have rushed out to buy a video showing in grisly detail how its team failed ignominiously? After four years as a turnip, Taylor is now a cult figure, a metaphor for all the cheerful, clueless, jingoistic know-nothings who characterize England. Maybe there is hope for John Major yet.

NICK HORNBY is the author of *Fever Pitch: A Fan's Life* (Penguin).

Why soccer bores us.

NO KICKS

By Fred Barnes

Why do Americans hate to watch soccer? That's easy. The field is too big, the games are too slow and the goals are too few. True, the field is large in American football, but football players bunch in a small area and slam into each other on every play, unlike soccer. Yes, baseball is slow. But it's an American invention that most men over 25, today's fans, grew up playing. And while few Americans were reared with hockey sticks and the game is often low scoring, it's played at breakneck speed. There's never a slow moment.

Soccer has other problems. It's not suited for T.V., with players too spread out and no timeouts for ads and instant replays (and not much to show in replay, anyway). It's not part of America's social fabric. "It's a wonderful participatory sport," says Anson Dorrance of the University of North Carolina, whose women's teams have won every NCAA championship but one and routinely go unbeaten. "A lot of people play it. Some watch it. A few talk about it." Even he rarely mentions soccer, Dorrance admits, when friends or colleagues chat about football, baseball and basketball. Finally, there's the physical problem. A sport in which you can't use your hands? Weird.

I'd argue that America's indifferent response to soccer, as it is frequently played here, is perfectly rational. The game is boring. Last May my 9-year-old son's team went against a team that kept four players, plus the goalie, from crossing midfield (that's five out of eleven players). All the better to play defense. Not surprisingly, the game ended in a 0-0 tie. I felt sorry for the kids. Soccer wasn't always like this in the United States. When I played in high school three decades ago we lined up with five strikers (that is, offensive players). Now, men's teams play with two strikers, sometimes one. Other players hang back to play defense.

There's a reason for stressing defense. "An average team can defend successfully against a great team," says Dorrance. Defense is the great equalizer, but it produces a tedious game. When defense dominates in other sports and scoring drops, the rules are changed. In baseball, the pitcher's mound is lowered. In basketball, a shot clock is added. In football, rules are changed to emphasize exciting touchdowns over dull, reliable field goals.

What's needed to elevate soccer above second-tier status in American sports? The thrill of having the World Cup here won't do much. By the time football

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season starts the Cup will be a faint memory. No, what's needed is a different style of soccer, one that's more daring and clever, with less defense and higher scoring. A rules change or two would help. Too many exciting fast breaks are broken up by offside calls (when an offensive player is downfield ahead of the ball and defenders). Too many defenders get away with assaulting offensive players from behind. Fortunately, changes in both these areas are under consideration by the World Soccer Federation.

But rules changes won't help if the style of soccer stays the same. As luck would have it, there are teams showing the way. Two of them are coached by Dorrance: the UNC women's team and the U.S. national women's team, which won the women's World Cup in China two years ago. They both play a wild, all-out attacking brand of soccer that's thrilling to watch. Defense? Forget it. I watched two women's World Cup games on tape (they'd been shown only on an obscure cable network). The American women were relentless, shooting from everywhere, heading the ball with abandon. Their German and Japanese foes couldn't keep up. Against the Germans, striker Carin Jennings had a hat trick, including one of the best goals I've ever seen, a rocket from forty feet.

The women's game is inherently more exciting. Dorrance says it's partly because there's more room: since women are smaller and not as fast as men, the field is relatively larger for them. "The potential for possession and scoring in our game is greater," says Dorrance. "And we play a wide-open throttle game. We're concerned about defense, but not at the expense of attacking." Because women's soccer gets little media attention, coaches can get away with this. When they draw attention, they start worrying about not losing and become more conservative. "When you're under incredible scrutiny, you don't want to be embarrassed," says Dorrance. You reduce your risks by stressing defense.

Bruce Arena, the coach of the University of Virginia men's team, prefers to take risks. His teams, led by Claudio Reyna, now a midfielder with the U.S. World Cup squad, have won three straight NCAA championships by playing what Arena calls "good attacking soccer." Arena gives everyone but the goalie the "freedom to attack. We don't hold them back. We encourage our players to go forward." This helps mightily in recruiting; UVA has

Soccer Without Balls

"Women should be coached differently than men," says Anson Dorrance, coach of the U.S. national women's soccer team, the defending world champions. "Men respond to power and presence. You have to raise your voice and act irritated. But with women, you have to ask them what they thought, reconstruct their performance and give them advice." Why the kid-glove treatment? Because, Dorrance replies, lifting a phrase from Deborah Tannen, "women don't speak English, they speak hidden agenda." But unlike those men who just don't understand, Dorrance likes it. "Coaching women has helped me evolve to a higher plane as a human," he says.

This vision of halftime group therapy makes me cringe. Since my days of playing high school soccer in New York, I've prided myself on suppressing my sex once the ball is in play. The soccer field is no place for difference feminism. I can kick as hard as any man. If someone outruns me, I have no qualms tripping her. I spit when I need to. And I flaunt my bruises like jewelry. Michelle Akers-Stahl, the best woman soccer player on the planet, is my hero not only because she scored the winning goal in the 1991 World Cup final against Norway, but because she's had thirty stitches in her leg, gnarly concussions, a few teeth knocked out and arthroscopic surgery eight times—and she just keeps on kicking.

Still, Dorrance has a point, much as I hate to admit it. Women's soccer *is* different. I play in a women's league and a co-ed league, and the two could not be more dissimilar. Halftime in women's league games is like group therapy. In a recent game, we took turns at self-flagellation and mutual comforting. "I'm sorry. I was playing too far back," said Kate, our forward. "No, that's my fault," said Katherine, our midfielder. "I didn't get the ball up to you." By contrast, halftime in the co-ed league is dominated by our male goalie, who stands in the middle of the circle of players barking at us about what we did wrong.

The games are different, too. For one thing, women talk. Co-ed games are marked by lone, silent breakaway runs and long, wild kicks to no one in particular. Women are slower, but they call for the ball, see who's open and make short, crisp passes. The referee bears an extra burden in a women's game. In a co-ed game, he's nothing but a time clock and a whistle, since the men shoulder their abuses nobly, and the women assume that's how it's done when men are around. But when it's just women, the ref becomes the therapist, mediating a litany of complaints. Women call *every* foul, real or imagined. In a recent women's league game, the ref spent more time calming the complainers than scolding their alleged abusers.

Women can shine only in their own league, since they are clearly second-class citizens in the other. Co-ed rules require five women on the field at all times; an extra woman is O.K., but an extra man will disqualify you. And discrimination in passing is rampant. I play in the nonprofit league (a typical game pits Handgun Control against People for the American Way), so sexism is subdued, but it's still there. If a woman deftly blocks a man's shot, he will often apologize. Men who almost never pass to women will almost always pass in one specific situation: when they break away toward the goal, and suddenly spot an oncoming defender, they'll slam a pass to the weakest female forward on the wing rather than take on the defender. This way, they can't be blamed for missing the goal shot, and they look good for trusting a woman.

Despite the hassles, though, I'm not quite ready to abandon my co-ed teammates, for every once in a while the annoying sexual politics on the field gives way to a real breakthrough. During most of the season our weakest female forward missed nearly every pass whacked to her by cowardly male teammates. Then, in the last minutes of one of the last games of the year, she dove for a particularly unwieldy ball and headed it, at warp speed, right into the back of the net, prompting cheers and a unisex group hug. I make no illusions that soccer will someday become the universal equalizer, but I figure it's worth a few teeth to find out.

HANNA ROSIN

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signed the nation's top high school player the last two years. "When kids see us play, they want to be part of that."

The downside is that UVA occasionally gets embarrassed. By stressing the attack, "we take some risks," says Arena. When UVA made a last-second effort to score against Clemson last fall, it resulted in a fast break for Clemson, which won 2-1. An inferior Brown team bunched everyone on defense and beat Virginia 2-0. But believe me, the Virginia brand of soccer is worth the risks. It's fun to watch. Arena gave Reyna the green light to be a creative playmaker and scorer, and he became the greatest player ever in American college soccer. In the NCAA regionals last November Reyna spotted the goalie for Loyola of Baltimore too far from the goal. He lofted a thirty-five-foot chip shot toward the top of the far corner of the net. The goalie scrambled back madly. No one else in college soccer would have seen this scoring opportunity, much less been able to take advantage of it. I was sitting on the sidelines a few feet from Reyna when he shot. The moment the ball hit the net—and UVA won 2-1—I was hooked. •

In Mexico, soccer as history.

PRI-GAME

By Enrique Krauze

I sing to the feet of those who,
weary of their labors in the mountains,
descended to the plains,
there to invent football.

—Antonio Deltoro, 1990

Actually, they didn't come from the mountains at all, but from England. As in Argentina and Brazil, soccer (or "football," as we call it in Spanish) arrived in the van of fin de siècle material progress. It found a home in the mines of Pachuca and in the textile factories of Orizaba, as well as in the elegant metropolitan clubs previously given over to cricket, tennis and polo. A certain Mr. Blackmore imported balls from England. The British ambassador laid down the rules, which all players, as loyal subjects of the crown, studiously observed. With World War I, the British left Mexico and ceded control of the sport to the Mexicans, who took to it quickly. Did it remind them, in their collective unconscious, of the ancient "ball game" played by the Aztecs and the Mayas, a sport that sometimes cost the lives of the players? Who knows? The point is that in the plains of Mexico City the ball began to roll, and with it commenced a minor epic that in many ways parallels the history of Mexico itself.

The growth of Mexican soccer was stunted by the Mexican revolution (1910-1920), which postponed economic progress and cost the country 1 million lives. No soccer fiesta could take place in the midst of that "fiesta of bullets," as the Mexican writer Martín Luis Guzmân called it. (In peaceful, prosperous Argentina, by contrast, every neighborhood of Buenos Aires had a soccer club, and tangos were composed in honor of the game.) When the civil strife finally settled, the stage was open for the Americans. From that time on, soccer was confined to the center of the country. In the northern, Pacific and Gulf Coast states the big sport then—as now—was baseball, spread by the Americans throughout the Caribbean and Central America.

In culture and in art, the Mexican Revolution revived an old conflict between Spaniards and Aztecs—Diego Rivera even painted a syphilitic Cortés into one of his murals. In somewhat less sensational fashion, the same thing happened to soccer. The sanguinary cry, "Death to the Spaniards!"—which opened the war of independence—was heard once again in the stadiums of the capital. On the one hand, there were the teams supported by Spanish businessmen in Mexico (the España and the Asturias). On the other, there were Mexican teams drawn from the most varied economic, social and ethnic categories: the military elite (the Mars); the workers of the electric company (the Necaxa); the team of the well-to-do, founded by French Marist fathers (the América); the shoemakers and masons (the Atlante), known as the "little darkies."

Though beloved at home, these teams were no match for their international neighbors: the tough Uruguayans of Basque origin; the versatile Argentinians of British, Spanish or Italian origin; the nimble Brazilians, for whom soccer and the samba were two variations on the same carnival theme. (The musician Vinicius de Moraes would accept only two excuses for refusing to dance the samba or play football—a headache or a footache.) Mexico lacked genuine professional clubs. Instead, it fielded teams of amateurs brought together only by a love for the game.

The Spanish Civil War (1936-1939) led to a new peninsular emigration to Mexico. This time, however, the influx consisted not of soldiers, priests or adventurers, but of republican historians, poets, philosophers, musicians, businessmen—and soccer players. At one time, the entire Basque team took refuge in Mexico. Sadly, most of its players ended up joining either the España or the Asturias, which served only to reignite the rivalry between Mexicans and Spaniards. Angered by an injury inflicted by one of the Asturias players on the famous Necaxa forward, Horacio Casarín, the crowd burned down the Asturias stadium. That was in 1943. The final battle of our war of independence, one might say, was carried out on a soccer field. Shortly thereafter, Generalíssimo Francisco Franco issued a decree forbidding Spanish teams to play in Mexico.

In sociological terms, soccer was very far from the popular festival it is today. Most Mexicans continued to be addicted to sports involving bloodshed and stoicism:

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bullfighting, cock-fighting, boxing. (In the 1930s there was even a big battle between a lion and a bull; the lion won.) The more civilized middle classes preferred soccer, but the sport still lacked the support of young people. Until the 1950s, the universities in Monterrey and Mexico City were given over almost exclusively to American-style football. The two main institutions of higher learning, the University of Mexico and the Polytechnic, were still in thrall to a Mexican version of the Rose Bowl: the "Classic" between the Jaguars and the White Donkeys.

The Second World War benefited Mexico's economy. Many light industries sprang up to service the American market. The government put in place a successful policy of controlled imports and protected industry, which for three decades made possible 6 percent annual growth. In soccer, the model was similar. The sport boomed: it spread beyond the capital, and a professional league with a First Division was born. (It, too, was protectionist—every top team had to have seven Mexican-born players.) The names of the local clubs evoked the products or skills of each region: the strawberry pickers of Iraputo, the tanners of León. In the state of Morelos, once the stronghold of Emiliano Zapata, the teams and fans were as fearsome as the old guerrilla fighters. Guadalajara distinguished itself among provincial capitals by having the Chivas team, whose prestige rested on its refusal to hire a single foreigner. Significantly, the mostly Indian south (Oaxaca, Chiapas) did not produce a single club. It was and remains too poor and marginal to do so. These states aside, soccer—in contrast to politics—was the one thing in Mexico that united all conditions and classes.

ILLUSTRATION BY JANE HOLLOWAY FOR THE NEW REPUBLIC

Instead of going for a stroll on Sunday, families began to go to the stadiums. Children accumulated (in their memories, at least) an archive of soccer trivia: dates, names, plays. Cheerful and uninhibited, the soccer of that era was mediocre, but made no pretense of being anything else: it was played for a local market. And even this began to change. By the late 1950s Mexican involvement in international tournaments raised the level of competition. The country went head-to-head with the world's great teams. The press and radio practiced a free-wheeling criticism, often with considerable literary distinction. Thanks to all these factors, Mexico proved itself at the 1962 World Cup in Chile: in the initial rounds, it beat the eventual runner-up, Czechoslovakia.

During the '60s Mexico's urban areas experienced a population explosion—mostly centered in Mexico City. Soccer, too, went back to the cities. The monumental Aztec stadium, built in 1964 (capacity: 110,000), was emblematic of this change—a ceremonial center for the exposition of the ritual sport. All the larger cities (Guadalajara, Monterrey and, of course, Mexico City) got teams in the First Division. Lacking any real possibility of competing, the smaller provincial teams disappeared.

The populist periods of Presidents Luis Echevarría (1970-1976) and José López Portillo (1976-82) brought to Mexico—and to soccer as well—many hitherto unknown evils, including statism, corporativism and inflation. In a paroxysm of "progressive" enthusiasm, the Atlante team was expropriated by the state in the guise of the Institute of Social Security. As a result, it dropped to the Second Division. In a similar outburst of syndicalist energies, a powerful labor leader in the oil industry (since jailed by President Carlos Salinas) maintained his own personal team: the Tampico-Madero. It, too, fell to the Second Division. Television joined in the practice of vice and fraud: sportscasters hyped every player as the next Pelé. They were no better than the announcers of American pro wrestling. Like their counterparts in the Institutional Revolutionary Party (PRI), what they said didn't have a lot to do with reality.

Mexican soccer and the Mexican economy had much in common: both were centralized, heavily bureaucratized and breathtakingly inflated. Though the cheap dollars that flowed in during the oil euphoria of the mid-'70s brought some fine foreign players to Mexico, the dominant tendency was toward unproductive luxury imports (mostly South Americans who were beyond their prime). In 1982 both the economy and soccer crashed: the Mexican national team was defeated by a fifth-rate team from the Antilles. Some fans—Aztec hooligans, really—then committed the almost unheard-of atrocity of burning the Mexican flag.

What was needed was a thoroughgoing economic adjustment. Only then could Mexico begin again to grow at a modest rate. Fortunately, some teams started to follow the model of the real soccer powers: they became genuine sports clubs, nurturing promising play-

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L. A. Story

On Saturday, after the Atletico Aztecas had fought to a 1-1 tie with Sporting Cristal, Aztecas coach Enrique Garcia brought out two large pots of pigs' feet that he had cooked and then soaked for three days in water, salt, vinegar and jalapeños. The Aztecas rounded out their weekly game gnawing on the snack, tossing back beers and talking about *futbol* under a giant sycamore in the corner of soccer field No. 1 at Whittier Narrows Regional Park in South El Monte. The Aztecas' match was one of more than 2,000 organized games played every weekend in parks and fields throughout Los Angeles County.

Thanks to its enormous immigrant population, Southern California has the most and best local soccer in the United States. The number of leagues in L.A. has doubled in the last ten years. *La Opinión*, L.A.'s leading Spanish-language daily, covers more than 1,000 matches a week. Four out of five local players are Latino.

Latino immigrants often join teams whose members are from their native pueblo, rancho, city or province. Most of the players on Ayutla, one of the leading teams in the Abraham Lincoln Soccer League, are from the town of the same name in the Mexican state of Jalisco. Alianza D. F. of the Mexico League is largely made up of *Chilangos*, natives of the Mexican capital. For Latino immigrants, soccer is a major link to the past, to each other and to their new home. This is especially true for L.A.'s 250,000 Salvadorans, many of whom had their lives interrupted by a lengthy, ferocious civil war.

"God Himself invented soccer," says Nicholas Orellana, owner of Niky's Sports store, the city's soccer cathedral, which is situated between L.A.'s Little Central America and skid row. "You put a ball in front of a child who has just taken his first steps, and what does he do? Whether he's Chinese, black, Iranian or Anglo—he's going to kick it."

Orellana, a middle-class Salvadoran refugee who fled his country in 1981 after a right-wing death squad attacked his home, is raving about a story in *La Prensa* from San Salvador, in which a local boy made good. He hands the article to his soccer cronies, who stop by throughout the day. The men, mostly Salvadorans, share in the glory. "He flies like an angel," says Mario Barrientos, a janitorial supervisor, pointing to the picture of Waldir Guerra, a midfielder for the team from the northern Salvadoran city of Santa Ana. "When Jorge 'the Magician' Gonzalez, the greatest player in our history, retires, Waldir will be the best player in El Salvador. And he grew up right here in Los Angeles."

There are around twenty Salvadoran amateur soccer leagues in L.A. County. Thousands more Salvadoran *futbolistas* play in the pan-Latino leagues, which are mostly Mexican. Guerra once played for the Niky's Sports team in the North Central American League. Orellana not only supplies his team members with handsome blue and white checked jerseys and cleats; he is their sympathetic godfather. He was instrumental in getting his favorite Salvadoran team to sign Guerra. Last year the Salvadoran National Selection Committee, aware of the soccer talent that had departed the country during the twelve-year civil war, asked Orellana to develop a training school in L.A. to send players back to El Salvador. In February Orellana and other ardent soccer fans formed the Angeleno Committee of Salvadoran Selections. In May three of the seven players they sent to San Salvador qualified for the country's national team.

"We're trying to recover something we lost," says Hector Moran, a 28-year-old graduate student in agricultural engineering who volunteers for the group. Moran, who came to the United States when he was 14, says the war destroyed his dream of playing pro soccer. He wants to ensure that younger players get his lost opportunity.

"The most important thing in soccer is to put yourself in the middle of it all, not to sit back and watch," Niky's Sports coach Luis Cruz yells at a dispirited forward during halftime of a match with a neighborhood rival. The players, whose ages range from 17 to 32, huddle against a chain-link fence, gulp water and listen to their coach. Cruz, a 41-year-old refrigeration truck mechanic, is "renovating" his young team of blue-collar workers and community college students. He's trying to squeeze in as much training time as possible before the season is put on hold for the World Cup.

That El Salvador is not fielding a team for this year's Cup—and has done so only twice since 1970—does little to dampen enthusiasm. This year Salvadorans all over the globe will be rooting for the U.S. team. Why? Because midfielder Hugo Perez, the second all-time goal-scorer on the U.S. club, was born in El Salvador and grew up a few blocks from Niky's Sports.

Earlier this month more than 91,000 spectators filled the Rose Bowl in Pasadena to watch the United States play Mexico in an exhibition match. The vast majority of the fans were Mexican-Americans who came out for the Mexican team. The stands were a sea of red, white and green, the tri-colors of the Mexican flag. The crowd roared its approval when the Mexican squad was announced but cheered only politely for the "home team." The Salvadorans felt a little differently. Orellana sold 1,000 tickets to the game, which the underdog Americans won. Not only has the "Colossus to the North" long been a hated—and sometimes envied—older brother to Salvadorans, but Mexico eliminated El Salvador last year in the qualifying rounds. "Did you see how the Mexicans were deliberately hitting Hugo Perez?" a Niky's Sports regular asked incredulously after the match.

"It's very important for us to be in the World Cup, even if it's only one player on another team," says Barrientos. He and his Salvadoran buddy, Oscar Herrera, a chef at the plush Mondrian Hotel in West Hollywood, were two of the very few fans at the game to buy American flags. Barrientos gave one to his teenage son to wave in honor of Hugo Perez. Herrera had more complicated reasoning. With a 7-year-old daughter born in L.A. to a Mexican mother, he just figured that red, white and blue was the only logical compromise.

DAVID E. HAYES-BAUTISTA
and GREGORY RODRIGUEZ

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ers from childhood. By the mid-'80s Mexico began to field some exceptional players. The best of these, Hugo Sánchez, went to Spain, where he won five championships with Real Madrid and was named the most valuable player in Europe. Sánchez proved the advantages of open markets: Mexico showed that it could export excellent products, whether made by hand (glass, cement, automobile parts) or by foot (goals).

And Mexico finally developed a soccer style of its own. Pier Paolo Pasolini, a famous theoretician of soccer (almost as big a fan as Camus and Beckett), said that there are two types of soccer: prose and poetry. The European teams are prose—tough, premeditated, systematic, collective. The Latin American countries play poetry—ductile, spontaneous, individual, erotic. Mexico, a country with neither great soccer prose stylists nor great soccer poets, had to develop a technique of its own. And, with the help of César Luis Mennoti, an Argentinian who coached Mexico until 1992, it did. The team created a game built on a quick touch, continuous movement, individual brilliance, stoic resistance.

How will the Mexican style fare in the World Cup? Judging from the way things have been going politically (Chiapas, the assassination of Luis Donaldo Colosio, the uncertainty over the August 21 elections), probably not too well. What will happen if Mexico doesn't advance to the second round? Will there be a wave of suicides, as there was in Brazil when its team lost to Uruguay in 1950? Will national flags burn once again? Most likely the fans will blame the defeat on media hype, the corporativist and centralized control of the sport and, last but not least, Mexico's archaic political system. In Mexico, politics is our first national sport, soccer our second. And both are sorely in need of the same thing—democracy.

ENRIQUE KRAUZE is editor of *Vuelta*. This article was translated from the Spanish by Mark Falcoff.

In Germany, even soccer is serious.

VICTORY

By Friedrich Christian Delius

Once upon a time Germany was a poor country. Its people, the majority of whom perceived the capitulation of 1945 not as liberation but as defeat, had to find a release somewhere. Soccer, with its breathtaking simplicity and minimal equipment, offered such a respite—at least for the men. The bombed-out rubble of the ruined cities left plenty of space for games. The life-and-death battle for the *Endsieg*, the "final victory," was over; with a sense of relief, one could at last shoot only goals and compete just for fun.

A few of the men who played for West Germany in the 1954 World Cup had lain in trenches, and a few had been in captivity; all had the "defeat" of 1945 in their bones. Never again would a German team be so representative of the nation. The coach—the legendary Sepp Herberger, who as *Reichstrainer* under Hitler had been a prominent fellow-traveler—became the Konrad Adenauer of German football. Like the first chancellor of the Federal Republic, he used an authoritarian leadership style, an insistence on loyalty to principles, and cunning and luck to reconcile the Germans to themselves and their achievements. "Achievements," therefore, became an important ideological term of the postwar era.

The Germans had been banned from the 1950 World Cup, but in 1954 they were back in. After making it through the qualifying games—one of their victories was over the Saar, which soon after became a part of the Federal Republic—the team headed to Switzerland for the final rounds. To be able to participate at all counted as success, as retaliation. The unfolding of the weeks that summer exceeded all expectations. Herberger's team entered the finals as an underdog against the formidable Hungarians.

On July 4 many West Germans sat in front of a television for the first time; people gathered in taverns before tiny screens. Millions more heard the play-by-play on the radio. The citizens of East Germany, then called the Soviet zone, listened with open or concealed sympathy for West Germany. The game's ninety minutes, culminating with the astonishing West German victory, served as the initiation ritual for the fledgling Federal Republic. In the rain of Bern, in a mud fight that must have reminded all the former soldiers of the trenches, eleven men in soiled, wet tricots fought for a happy 3-2 decision—and more. They transformed the West German self-image: the time of defeat was past; from now on victory was the aim.

Even the language of the radio announcer, who sensed all these connections but did not express them aloud, was mixed with religious vocabulary. "Toni, you are a football god!," he exclaimed after the goalkeeper, Toni Turek, made a dazzling save against the Hungarians. The victory was celebrated as a "wonder," a heavenly gift. ("Economic wonder," the primary expression of West Germany's fiscal recovery, sprang from the same vocabulary.) The very fact that a football game could be understood as a "wonder" demonstrates the psycho-social needs of the Germans just after the war. They longed for redemption and a future, for freedom from guilt and the past. The Cup triumph, combined with the auto racing victories of the Mercedes "Silver Arrow" that same Sunday, allowed one to say with ever-increasing brazenness, as they did in the taverns and in the Bundestag, "*Wir sind wieder wer*": we are somebody again. Just about everyone, and not just the old Nazis, could exult and once again make too much out of his or her Germanness.

So at the victory celebration in the Bern stadium, the West German soccer fans did not sing the official hymn of the Federal Republic—the third stanza of the

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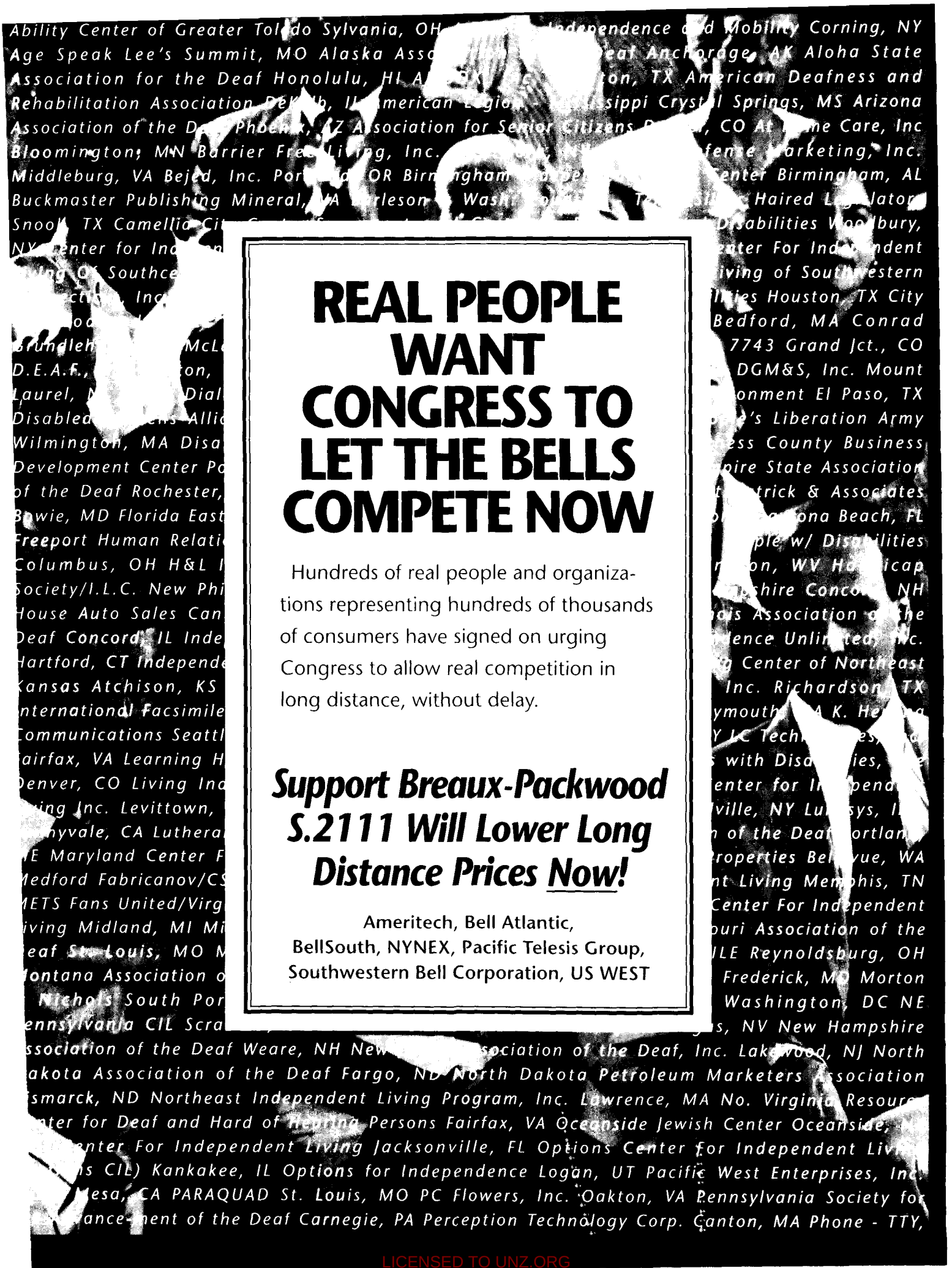
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national anthem, which they probably didn't even know by heart. No, they sang the forbidden first stanza: "Deutschland, Deutschland, Über Alles." And as the heroes of Bern were honored two weeks later in the Berlin Olympic stadium, Theodor Heuss, the liberal Federal president, felt compelled to recite the third stanza—"Unity and Justice and Freedom"—so that the masses would not again disgrace the Federal Republic with "Deutschland, Deutschland, Über Alles."

Germany was deep in the cold war. A year earlier, on June 17, Soviet tanks had crushed an uprising in East Berlin. The Hungarian football players, who had gone unbeaten for the previous four years, were clearly seen as representatives of the Eastern Bloc. Thus, the West German victory was also an early victory for the capitalist, free West in the still-undecided cold war—in Hungary the loss nearly provoked an anti-Communist revolt. East Germany's leaders, not surprisingly, were made particularly uneasy by the Hungarian defeat.

ILLUSTRATION BY JIM HOLLOWAY FOR THE NEW REPUBLIC

As an 11-year-old, a pastor's son living near the border zone between East and West, I experienced the football triumph through the radio. I still feel a personal, speechless feeling of victory, and I am not alone. This was more than the fandom of childhood and adolescence. For us children, innocent of the war but reared in a culture of suppression and sternness, the victory was a liberation, perhaps because our fathers, who had survived the war, finally could permit themselves to appear more relaxed and happy.

When West Germany won its second World Cup in 1974, the Federal Republic's standing in the world was so secure that one saw the success in sport as confirmation of political and economic success. When West Germany won again in 1990, the year of reunification, it was almost an embarrassment of riches. But the win was a mixed blessing. It was not fully deserved and, given the joy of reunification, the good fortune seemed excessive. Too much luck can only mark the beginning of misfortune.

This misfortune came to us in the guise of virulent nationalism, which, of course, has some important roots in the West German identity that formed around the 1954 Cup victory. Why do the appearances of a national team evoke so much nationalism at precisely the moment Europe is opening itself up? It is the unemployed, the materially and spiritually poor, the losers of society, who identify themselves most passionately with the millionaires on the green turf who kick and head the ball in the name of Germany. And it is the German soccer players who suffer from the compulsion to win. They play in a calculated, efficient, industrious manner, but they do not *play* (like the Africans and Latin Americans *play*). One of the civil virtues the Germans have never learned is the ability to lose. No wonder the losers of society find their idols in the men who must be No. 1, the winner, the champion.

The relationship between these two groups—the winners and the losers—has proved dangerous. With reunification, the Germans have gained their sovereignty, but they handle it clumsily. When violent criminals, who enjoy first-class soccer matches, exit the stadium chanting "Sieg Heil!" and then rampage against "foreigners," the police and the politicians too often stand by idly. Absent pressure from abroad, the members of the ruling center-right coalition have been slow to take appropriate measures against neo-Nazis and their slogans. Though their power and the power of democracy is much stronger than that of the radical right, it is rarely used. That is evident in soccer matches as well as in politics.

In 1954 the federal minister of the interior, who was responsible for sports, did not think it necessary to attend the final match in Bern; he preferred to watch horse races in Hamburg. This year Chancellor Helmut Kohl will travel to Chicago with a planeload of associates for the opening game of the World Cup, which falls on June 17, the "Day of German Unity," the anniversary of the 1953 East German uprising. Thus the circle closes itself. Somehow, the German kickers will proceed in beautiful games or like joyless machines; with hard-fought victories, or lucky ones. Both the team and the chancellor represent the egomaniacal German, who is oblivious to his limitations, who wishes to remain on top at any price and is unable to lose. And if we are unlucky, we will not lose.

FRIEDRICH CHRISTIAN DELIUS is the author of *The Sunday I Won the World Cup*, an autobiographical novel about West Germany's 1954 World Cup victory. This essay was translated from the German by Jacob Heilbrunn.

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The pacifist as foreign policy pro.

THE DELLUMS DILEMMA

By John B. Judis

If North Korea blows up this summer, it will be the most significant test to date of President Clinton's beleaguered foreign policy team. But it will also be a critical time for the foreign policy skills of Congress. Is Congress up to it? In particular, Representative Ron Dellums, the chairman of the House Armed Services Committee, is the subject of some concern. When Dellums took over after Les Aspin departed for the Pentagon in December 1992, his elevation was greeted with alarm by conservatives, who saw the Berkeley congressman as a tribune of the extreme left. So far, however, Dellums has enjoyed surprising bipartisan success. This year the Armed Services Committee reported out the defense budget by a 55-1 margin. "In my experience," says Republican Representative Herbert Bateman of Virginia, "[the committee] has never been presided over with the same measure of fairness and absolute zeal for the protection of the rights of every member." But whether what has been good enough for Congress can be good enough for Korea is still another matter.

Dellums has done well on Armed Services partly by separating his evenhanded role as chairman from his fiery personal convictions. "I work very hard at keeping Representative Dellums and Chairman Dellums as distinct roles because they are two very different roles," Dellums told me after the House debate on the defense budget. "If you ask my colleagues, they'll say Representative Dellums is still very much alive and well. At the end of the day, though, Chairman Dellums has got to go out there and present a consensus, and that's a different position."

Dellums has also cast a critical eye on the defense budget. This year he called hearings to examine the Pentagon's "bottom-up review" and to discuss its need to maintain twelve aircraft carriers and to "backfit" Trident submarines with new missiles designed to knock out Soviet hardened missile silos. Whatever the merits of Dellums's answers, he is the only person on the Armed Services Committee who is raising questions about the Pentagon's strategy.

Yet the crisis in Korea could reveal Dellums's weakness in his new role at the center of American foreign policy. Until the United States sent troops to Somalia in a humanitarian capacity, Dellums had opposed every use of American military force from Vietnam through Operation Desert Storm. He now opposes backing up American diplomacy in Haiti and in North Korea with the threat of force. Each of these positions is arguable, of course, but each seems to be informed by Dellums's opposition to *any* use of force. Dellums is not pro-Communist or anti-American, as some of his conservative critics charge, but he is very close to being a doctrinaire pacifist. That's not a good position from which to counter Kim Il Sung's nuclear threat.

Dellums's underlying political views have frequently been misunderstood. He is often associated with the most extreme parts of the '60s left, with Fidel Castro and with Grenada's Maurice Bishop, whose regime he defended during the Reagan administration. Yet his social philosophy is much closer to that of Jane Addams, the founder of American social work, than to that of Karl Marx; and his international perspective bears much more of a resemblance to that of Martin Luther King Jr. and to the world federalists of the 1940s than to that of Castro and Mao Zedong.

Dellums, who was born in Oakland, California, is a product of the left, but of a more moderate strain than is generally assumed. His father was a longshoreman; his uncle, C. L. Dellums, was a leader of A. Philip Randolph's Sleeping Car Porters Union, which was a major force behind racial integration and the left-liberal coalition of unions, Northern Democrats and civil rights groups. Dellums looked up to his uncle and came to be similarly inclined toward a politics of class and coalition rather than simply race.

He joined the Marines after high school so he could afford college. After serving two years he went to San Francisco State and then to graduate school at Berkeley, where he was trained as a psychiatric social worker. Dellums's political outlook is a combination of social work school and of King, whose strategy of nonviolence and whose goal of racial integration he embraced. Much of how Dellums still sees the world—his liberal optimism about government as an instrument of human perfectibility, his insistence on seeking a wider explanation for anti-social behavior—can be traced to his Berkeley training. "I am still a social worker," he says.

In 1967 Dellums won a seat on the Berkeley City

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Council. In 1970 he ran for Congress against incumbent Jeffrey Cohelan. Cohelan, a Democrat, had a 100 percent rating from the Americans for Democratic Action, but he was considered a "conservative" in the fevered framework of Berkeley politics. The "left" there contained groups such as the Weathermen and the Black Panthers, which advocated violent revolution in the name of Mao or Lenin; the "moderates" were people like Dellums who wanted to achieve an immediate end to the Vietnam War and a radical redistribution of income and power through electoral means. Dellums won handily with 55 percent of the vote and has never been seriously challenged since.

As a member of Congress, Dellums initially did much to confirm Spiro Agnew's 1970 charge that he was a "radical extremist." He held a war crimes tribunal on Capitol Hill to protest the Vietnam War. He denounced his fellow House members as being "preoccupied with their own self-aggrandizement." After a trip to Cuba in 1977 he lavishly praised Castro. But he also consistently opposed the use of violence to effect change. "If you're talking about peace in the world, picking up a gun is insane," he told a radical military group in 1971. "Violence is totally nonproductive—totally dysfunctional—even in revolutionary terms."

Dellums called himself a socialist, but he was a European-style social democrat, not a Marxist. He favored national health insurance, not the nationalization of American industry. He did not adopt an inverted view of the cold war—rooting for the North Vietnamese or the Cubans against the United States. Rather, he thought the cold war was driven by "madness"—a favorite term of the former psychiatric social worker—on both sides. And, like his uncle, Dellums argued for coalition politics based on common interest rather than race. In the early '70s he described his different constituencies as "niggers." "When you put the black niggers, the brown, red, yellow and white and the women niggers, the young, the anti-war and the ecology niggers together," Dellums declared in a 1972 speech, "you don't have a microscopic minority in this country. You have the majority of America." His was the first and far more genuine version of the Rainbow Coalition associated with the Rev. Jesse Jackson.

Yet Dellums shared a vice of the left: a misguided loyalty that has lent credence to charges that he is "pro-Communist." During the '70s, for instance, Dellums was unwilling to criticize others on the left, even when he clearly disagreed with them. Two decades later you still can't get him to talk critically about the Black Panthers. He sees scrutiny of such groups as a capitulation to a conservative McCarthyism. Also, Dellums adopted the view of Third World liberation movements held by the left in the '60s. He romanticized Castro and Bishop and lent support to American groups that fronted for Nicaragua's Sandinistas and El Salvador's guerrillas. Even today, he won't breathe a word against Castro. As his aide Lee Halterman told me, "He still thinks Fidel Castro is an important historical figure tragically put in a box in foreign policy."

Dellums's current take on foreign policy bears a close resemblance to that of New Deal Democrats such as Harold Ickes and Henry Wallace, who proposed during the last years of World War II, before the cold war broke out, a multilateral world order based on the United Nations. Dellums doesn't talk about world government, but, like Ickes and Wallace, he wants the United States to act primarily through institutions like the U.N. Even more than they are, Dellums is a militant internationalist who bases his policies not on America's interests but on the world's. He wants the United States to play an active role in promoting human rights and ensuring world peace. Last year he was one of the few members of Congress to support extending the American mission in Somalia, and he favors a U.S. peacekeeping role in Rwanda. He wants NATO to expand its membership to include Eastern Europe and even Russia and to begin functioning like the U.N. "NATO was an us-versus-them organization," he explains. "If you include Eastern Europeans and the former Warsaw Pact and Russia, the whole concept of NATO changes."

Dellums rejects the vision of the future implicit in the Pentagon's bottom-up review. He doesn't see any direct threats to America's interest on the horizon and regards the prospect of us fighting two Desert Storm-style wars at the same time as a chimera meant to justify unnecessary arms expenditures. (Dellums has a point. If he is too quick to discount the emergence of serious military conflict in the Middle East and Asia that could threaten our interests, his views are not much less realistic than those of the bottom-up review.) Rather, he defines America's principal foreign policy task as "preventive engagement," or a combination of peacekeeping, peace-making and peace enforcement pursued through multinational bodies like the Organization of American States and the U.N. "I see the Bosnias and the Somalias and the Rwandas and the Haitis of the world as the new challenge," he says. "That doesn't in my opinion require a big mechanized military." If real threats to world peace arise, he adds, they can be dealt with through multilateral economic sanctions. His model is the successful use of sanctions against South Africa, which he first proposed in 1971 and finally spirited through Congress in 1986.

But when sanctions don't work, or won't work fast enough, when is military force appropriate? Dellums's answer, shorn of complexity, seems to be: never. During the debate over how to respond to the Iraqi invasion of Kuwait his position was fundamentally different from that of his fellow Democrats. While they advocated giving economic sanctions a chance to work before going to war, Dellums didn't believe war should even be regarded as an alternative; and once the war started, he opposed it on the House floor. Yet Dellums doesn't just reject war as a first resort; he also rejects it

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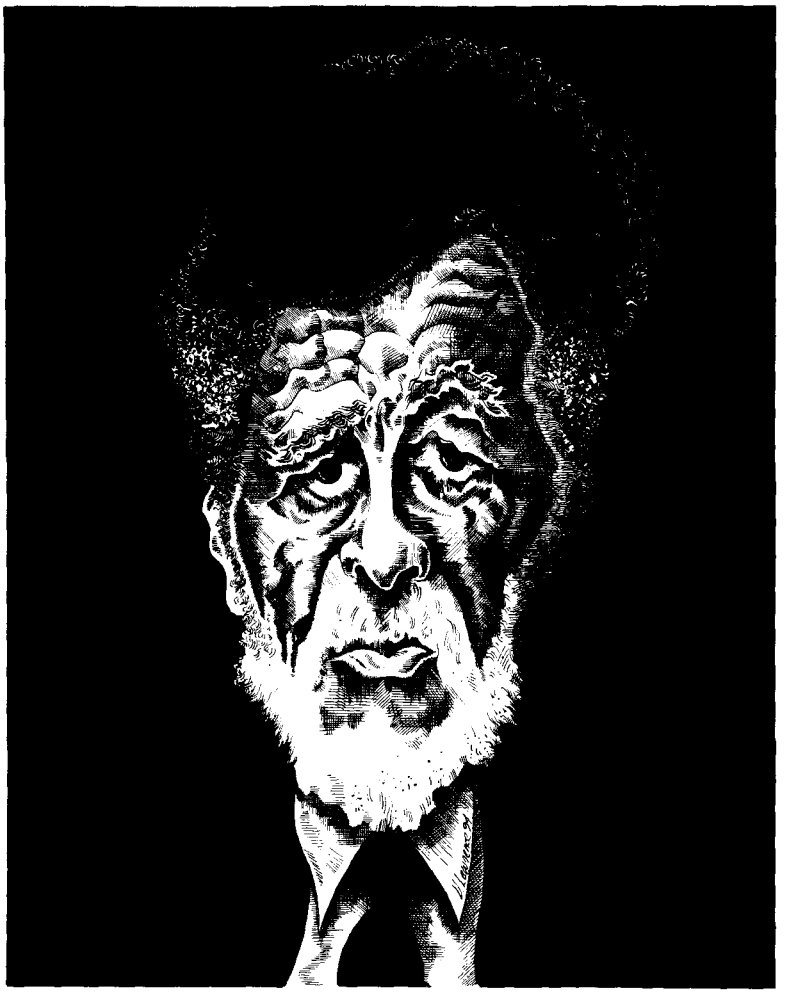
as a last resort. "Even at the last resort," he says, "there is no guarantee that war will bring you what you are trying to achieve. It is incumbent upon us as a major power to show the world that there are alternative ways of solving problems."

When I asked Dellums whether he thought going to war was ever justified, he responded cautiously: "I still believe that all wars that were fought ultimately end up being resolved around a table. Why do we need war to bring us to where we ultimately have to come down—around the table, negotiating the circumstances around which we are going to live with each other?" I remarked to Dellums that World War II wasn't settled at the table, and that there were leaders like Hitler then and Saddam Hussein and Kim Il Sung now who were averse to negotiated settlements. "Looking back is very difficult," he said. "You look at those situations. [We] never gave the alternative an opportunity to work. We always want to find the insane leader out there, the psychotic. Rather than focusing on Kim Il Sung, there is a way that we can sit down with the North Koreans short of war."



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

As he describes the basis for his pacifism, though, Dellums's normal eloquence fails him. His position seems to be based on two assumptions: the classic argument that war is an absolute evil that should be avoided at all costs—even in order to stop another country that has resorted to war; and the psychiatric social worker's belief that wars are not caused by evil men or by nations irretrievably bent upon conquest but by circumstances that are amenable to diplomacy and negotiation.

Dellums brings both these assumptions to bear in arguing against the use of force in North Korea. "If we ever cross that line, the level of human tragedy is almost incomprehensible," he says. "You're not talking about the tens of thousands, but in the six figures of deaths that would result from waging war with the North Koreans. If you start with that knowledge, then it doesn't make sense to keep threatening war, when you know the consequences would be a level of death that would be extraordinary."

Dellums also insists that the situation must be amenable to negotiation. "I've got to believe that there is a degree of rationality in the world. Once you say there is no rationality, you can justify all this madness, but I'd like to believe more often than not there is a high degree of rationality. Granted, the North Koreans have been isolated in the world, but we can bring down the barriers of isolation and start to build barriers of confidence and communication that can move people in different directions."

Neither of the assumptions underlying Dellums's view of military force seems to be defensible, however. Pacifism, taken to an extreme, becomes an encouragement for others to wage war. Diplomacy and a willingness to use force are not contradictory but complementary strategies. Effective diplomacy can stop wars—North Korea's invasion of the South in 1950 and Iraq's invasion of Kuwait in 1990 were both preventable—but to be effective, diplomacy often has to be backed up by the threat of force. There are also cases—Hitler's pursuit of the thousand-year Reich—where no amount of diplomacy could prevent war, and where nations must either go to war, and pay the price in death and destruction, or accept an even worse fate.

In the end, Dellums's opposition to the use of force won't prevent a new war in the Korean peninsula. It could even make one possible by emboldening the North Koreans once more to test American resolve. In 1950 Secretary of State Dean Acheson's statement that the Korean peninsula was outside our defense perimeter prompted Stalin to sanction Kim Il Sung's invasion of the South. More than forty years later the House Armed Services Committee chairman could be urging the United States to make the same mistake again. •

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BOOKS & The Arts

Stanley Kauffmann on Films

Thrills and Chills

The best way to get some pleasure out of **Speed** (20th Century Fox) is to see *Little Buddha* first. In the Bertolucci film Keanu Reeves, with surprising grace and focus, played Prince Siddhartha. In *Speed* Reeves is a member of the SWAT team in the Los Angeles Police Department, with close-cropped head, chewing gum, guns and James Bondian gadgets. Part of the aforementioned pleasure, sniffy though it may be, is in seeing that our Keanu is more convincing as Buddha than as the cop. Still, let's concede that the cop is not a character, he's just a bunch of action-flick actions. Even if Reeves doesn't have anything like, say, Mel Gibson's command of action stuff, he can't quite be blamed for not making this cop as complex as Buddha.

The screenplay by Graham Yost apparently began with one idea. A terrorist affixes a bomb to an L.A. suburban bus, then informs the police that, once the bus exceeds 50 mph, the bomb will be primed: the bus will then have to maintain at least a 50 mph pace or the bomb will detonate.

This gimmick becomes the middle panel of an action triptych. The first panel depicts the terrorist's threat to bomb a loaded elevator in a high-rise building unless millions of bucks are paid to ransom the passengers; he is foiled. In the middle part he wants millions to defuse the bus bomb; in the third section the terrorist and Reeves go one-on-one in a runaway subway car with the heroine tied, not to the tracks, but to a pole in the car.

What's basically interesting about a thriller like this is that, if it's competently crafted, as this one is, it grips so many of us so completely. Once again we of the hard-nosed present are willing to anesthetize the smart-guy skepticism with which (we think) we examine everything and to plunge into fantasy wilder than the *Arabian Nights*—so long as some twentieth-century protocol is observed. The details have to be realistic: a real bus, real streets, real T.V. and explosives technology. After this nitty-gritty admission fee, fantasy.

For instance, the speeding bus hits dozens and dozens of cars, plows through construction sites with workers leaping out of the way and at the L.A. airport smashes into a large airplane on a runway. In any quasi-realistic accounting of these matters, some hundreds of people would have been killed—to save the dozen or so passengers on the bus. In *Speed* no one is hurt. (They don't even bother to tell us whether anyone was on that plane.) In a film that otherwise doesn't spare the gore—it begins with one man driving a screwdriver into another man's temple, and it ends with a decapitation—the omission of the real results of this bus's foray is straight from never-never land.

Then there's the banter. Oh, that inevitable, unbearable comic banter in the midst of danger. A young female bus passenger (perky Sandra Bullock) is enlisted to drive the bus because the driver is hurt and Reeves is otherwise busy. She and Reeves then engage in smart dialogue while the bus is careering and careening along. Never mind the unlikelihood of such talk at such a moment. I kept wondering why this young man and woman were a cop and a shop girl. Why weren't they highly paid sitcom writers?

Another remembrance of zings past. Dennis Hopper plays the terrorist, a role that is a patent spin-off from the John Malkovich character in Clint Eastwood's *In the Line of Fire.* One difference: Malkovich portrayed a credible madman; Hopper is only a Hollywood loon.

The Boys of St. Vincent (Alliance) is a two-part film—properly, two sequential, full-length films—made in Canada, about sexual scandals in a Newfoundland home for orphan boys run by a Roman Catholic order, the Christian Brothers. It's a fiction work, reportedly close to the facts of an actual case. The predictable core is the close juxtaposition of vulnerable boys and celibate men. I certainly don't imply that all religious celibates are sexually criminal or that all such charges are true: recently the charges against an American cardinal were shown to be baseless. But when such charges are verified, the more mundane among us wonder why it doesn't happen more often.

The director, John N. Smith, is a veteran of the Canadian Film Board, which in itself says much for him. Smith, with Des Walsh and Sam Grana, wrote the screenplay(s). Part One, set in 1975, ends with the discovery by the police of

FILMS WORTH SEEING

Four Weddings and a Funeral. *British and breezy. A comic romance between Hugh Grant and Andie MacDowell skitters through the five occasions. Grant bubbles, MacDowell breathes hard. (Reviewed 4/4/94)* **Freedom on My Mind.** *A strong documentary about the black Mississippians who, against long odds, formed the Mississippi Freedom Democratic Party in 1964, only to be met with mealy-mouthed rejection at the Democratic National Convention that year. Survivors comment. (6/27/94)* **Thirty-Two Short Films about Glenn Gould.** *A unique treasure. Glenn Gould's crotchets and talent are viewed wittily and well by the director-author François Girard. (4/25/94)* **White.** *Set in Paris, then Warsaw. A Polish hairdresser goes to funny-sexy extremes to win back his divorced French wife. The script zigzags engagingly. (6/13/94)* **—SK**

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the sadistic actions of Brother Lavin, the head of St. Vincent. He is transferred; but because of administrative finagling, he and other adult culprits are not prosecuted. Part Two takes place fifteen years later. Lavin has left the order, has married and is living in Montreal with his wife and children. The police arrive suddenly one day. The red tape has been snipped; he is taken back to Newfoundland for trial.

These films had great trouble in getting aired by the CBC, for which they were made; ultimately, they were broadcast. In the United States PBS has declined them, but they will be shown next winter by the A&E cable channel. Meanwhile theater showings have been initiated by (naturally) the Film Forum in New York.

Both films are made conservatively. Little of what we see is sensational: the sexual advances, though vivid, are handled as if to supply just enough data to support the whole enterprise. Smith also makes sure to include a good deal of the Newfoundland context—the weather, the atmosphere, almost the smell of wet wool, the enforced cheer in bars as if to countervail the cheerless terrain outside.

Henry Czerny, who plays Lavin, has been praised as he well deserves. He portrays incisively a man trying hard to be decent but with a bad temper that in fact conceals qualities much worse than bad temper. But not nearly enough has been said about Johnny Morina, as the 10-year-old who is the chief object of Lavin's attentions. How did Smith deal with this boy and this material? How was the child made to comprehend so thoroughly a situation that, one would think, requires adult comprehension? Morina chills us with his fear of what is happening to the boy, along with the added fear that he doesn't fully understand it, the numbness, the frozen desperation. All of Smith's work in these two films is fluent, but nothing surpasses his collaboration with young Morina.

I must add, however, that this pair of films left me dissatisfied. Essentially this is not a study of the rigors of monastic life, which at first it seems to be: it's the record of a psychopath. In clerical clothes, but a psychopath. Another life, as we see fifteen years later in Montreal, might not have exacerbated his condition; still, he is aberrant.

Statistically, there must, of course, be aberrants among religious men and women, but that's not what is truly interesting about the sexual aspect of the religious life. Psychopathy is only psychopathy, whatever the garb. Much more fruitful would be an insightful study of the sexual conflicts and possible resolutions of clerical men and women who could never possibly behave—with whips and sadistic uproar—as Lavin does. A classic instance of such an account is the Nun of Monza episode in Manzoni's *The Betrothed*. It's about a person whose sexual agon moves us, not a criminal case crying out for treatment. •

The iconoclastic traditionalism of Willem de Kooning.

The Master of Imperfection

By Mark Stevens

Willem de Kooning once called himself a "slipping glimpser." The phrase conveys not only his view of the world, but also the world's view of him. During the last half-century de Kooning's meaning for contemporary culture has been remarkably mercurial—flickering, changing shape, slipping someplace new. No painter of the postwar period has been better known. And no painter of the postwar period has been seen in such a partial way; much work remains to be done before he settles into history. There are two simple reasons for this, and one haunting reason that reflects the profoundly difficult situation of painting in our culture.

The handsome exhibition of seventy-five of de Kooning's paintings at the National Gallery in Washington, D.C., provides a highly useful response to the two simpler reasons for de Kooning's volatile presence. To begin with, the show is marvelously clear. De Kooning was a restless and quixotic painter of many moods whose art, over the course of a very long life, kept shifting in significant ways. Unlike most painters of the New York School, he never moved toward a summary style or image. No single moment can represent him the way, for example, the "poured" or "drip" paintings can represent Pollock.

It has therefore been very hard to get a focused view of his achievement. The National Gallery's exhibition helps by not being too big. Many of the best pictures are there, and many lesser works are not. Sideshows do not distract the eye. And while the evolution of the art is not always presented in a strict chronology, the show nonetheless highlights—almost starkly—the main periods in de Kooning's oeuvre. The proportions are also interesting: no single period seems unduly exaggerated. Assembled by Marla Prather, Nicholas Serota and David Sylvester, the exhibition gives this complicated painter a sure-handed display. By leaving to the future the job of mounting a definitive retrospective, the organizers have avoided creating a vision of the painter too large in size or slushy in conception, which was exactly the right way to begin the work of reappraisal.

This art-historical efficiency comes at a certain cost, of course, since de Kooning was very clear about the importance of not being too clear. The artist's work from the 1930s is largely ignored. There is no sculpture. The controversial art of the 1980s, the so-called "Alzheimer's period," appears squeezed at the end. And there are no drawings, which is by far the most important hole in the exhibition. De Kooning lived to draw; you cannot adequately know him, or his gift for intimacy, without studying the evolving and disorderly bloom of drawing that filled his days.

The second of the simpler reasons for de Kooning's unstable presence, of course, is the ideological role famously assigned to him in the contentious evolution of postwar art. The show at the National wisely refuses to fight the old fights. The result is a kind of steadiness that is rare around de Kooning's work. It is worth emphasizing what a substantial change this is. When people have looked at a de Kooning, they have often glimpsed a stereotype. He has been lionized in certain quarters, demonized in others. His fans have often disparaged any criticism as personally motivated, and his detractors have often claimed that his reputation is a market conspiracy. At the show's opening, I heard both views still being argued.

This heated reception began in the late 1940s and early 1950s when, not content merely to praise a painter, the artist's champions, most notably Thomas Hess and Harold Rosenberg, celebrated a primordial form-giver and an existen-

Mark Stevens, the art critic for *New York* magazine, is at work, with Annalyn Swan, on a biography of de Kooning.

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tial hero who could do no wrong. As a result, de Kooning became too much like the statue in the town square, a natural target. In the ensuing decades, owing partly to Clement Greenberg's brilliant attacks on the artist, many younger iconoclasts made him a symbol of all that they opposed in art. He became, in effect, the salon painter against whom Pop, Minimalist and Color-Field artists defined themselves. For many years this view generally prevailed among serious critics; and the Museum of Modern Art, reflecting and shaping this version, routinely treated de Kooning as an old-fashioned, quasi-European painter who made important work only in the late 1940s and early 1950s and then fell into a long, sloppy decline.

Even many who disagreed with MOMA's general outlook and officious approach to postwar art expressed disappointment with de Kooning. Again and again one heard that de Kooning's work after 1948 was slack in structure, weak in color, vulgar and slapdash, rhetorical in feeling, historically irrelevant; in short, minor. There were not many critics and tastemakers who seriously supported de Kooning during the 1960s, '70s and early '80s. (Peter Schjeldahl was a significant exception.) No major exhibition or work of criticism of the last twenty-five years, except Diane Waldman's courageous and revelatory Guggenheim show in 1978 of de Kooning's East Hampton paintings, radically challenged or revised the conventional understanding of de Kooning's place in modern American culture. The retrospective of 1984 at the Whitney Museum, which was unevenly selected, aroused little enthusiasm for the artist.

By the mid-1980s, however, the ideological struggles surrounding de Kooning were receding. Painting was becoming fashionable again; and new money was flowing into the art market. Some people began changing their minds about de Kooning. The moment for a reappraisal, for doing better than the "slipping glimpse" provided by the art world's wars, seemed at hand. The current exhibition is part of that moment. The rooms have a calm, blue-chip feeling. The catalog is plush and untroubled. There is an elegant appreciation by the critic David Sylvester, an excellent commentary and chronology by Marla Prather and a carefully researched essay by Richard Shiff on the great constant in de Kooning, which is change.

There is no longer much reason, in short, not to savor de Kooning's work. The abstractions of the late '40s and early '50s, for example, are as austerely beautiful as anything to be found in American art. And the painterly effusions of 1977 are as lushly beautiful. The show offers an unprecedented chance to enjoy without distraction what is always lost in reproduction: de Kooning's inimitable touch, his rippling way with edge and contour, his dead-on sense of scale, his rendering of New York streets and the sea-light of Eastern Long Island, his uncanny color.

But the danger has not been taken out of the work. In its cool and considered way, the show at the National confirms—but does not confront—what a troubling figure de Kooning represents in our culture. De Kooning himself was so down-to-earth, so wary of the high generalization, that talking about something like his "cultural position" inevitably seems somewhat out of keeping with his sensibility. Yet it is one of his great fascinations. In de Kooning the relation of the artist to the tradition of Western painting, of the self to its patrimony, becomes painfully poignant and disturbing. This is a modernist who comes late in the modern tradition and can never quite bring himself to reject the past, there being so little past left to reject. He is an artist who always represents who we have become without forgetting who we were.

Willem de Kooning: Paintings

National Gallery, Washington, D.C.
May 8–September 5, 1994

Metropolitan Museum of Art, New York
October 11, 1994–January 8, 1995

• • •

Catalog edited by Marla Prather
(Yale University Press, 231 pp., $55)

The harsh criticism directed at de Kooning in the past performed at least this useful service: it illustrated that de Kooning's art raises many all-but-unanswerable questions for painting. His supporters celebrate this vexation as a rendering in art of the existential ambiguity of modern life, which is true but much too soft-sounding. De Kooning put the art of painting under tremendous stress. There was nothing easy or athletic about his "slipping glimpse"; it reflected the desperation, even the death throes, of modernist painting.

Critics like to present abstract expressionism as the great starting point of postwar art. This is understandable, but their tone is usually too admiring and optimistic about the effect of abstract expressionism on *painting*. For the movement, if that is what it was, proved more fruitful for other forms of visual or performance art, or for art in which the painting was secondary. For painting itself, abstract expressionism now looks like a brilliant endgame, an emptying or flaming out of the modern tradition.

It did not seem that way in its early days, which were marked by a powerful confrontation between the inherited traditions of cubism and surrealism. Together with the surge of American confidence after the war and the belief that American space was grander than European space, this struggle of styles in the hands of Americans helped to inflate the scale of painting. For artists in the early days of abstract expressionism, cubism still represented not only a particular way of organizing space, but also a responsibility to make a well-constructed picture—and by extension, to submit to discipline and to school one's "self" through the study of other painters in the tradition. Surrealism, by contrast, presented the "self" as a tradition of one. The surrealist artist found authenticity in his own dreams rather than through the advancing of a tradition, though the surrealists whom the abstract expressionists most admired (such as Miró) were also concerned with a strong pictorial structure.

It was this context that provided de Kooning the means for his most critically admired work. In his "black and white" paintings, which were first exhibited in 1948 and are beautifully presented at the National Gallery, de Kooning created a powerfully poised style that integrated the rigorous detachment of Cubist structure with the personal drive and spontaneity of surrealism, while also conveying the jazzed-up grit and the open-ended intensity of New York. The names of de Kooning's works of this time—*Attic, Excavation, Zot, Asheville*—convey the period's heightened existential flavor. In their personal flair and their darkly dissonant tempos, one can find the seductive mixture of Jungian dreaming, ashen despair and layered Joycean inventiveness that was exciting many intellectuals of the era.

De Kooning also loved American movies and detective stories. The black and white pictures had a street toughness—a feeling for the city—that was related to jazz and film noir. This saved them from narrowness or preciosity. Like Joyce's sensibility, de Kooning's was expansive, fluid, incorporating, seeking to get everything, high and low, into the picture without compromise or reduction. *Excavation*, of 1950, which the Art Institute of Chicago has lent to the show, is one of the great works of the century. It is not only a picture in which every mark has the force of necessity; it is also one of those encompassing pictures in which art seems to leave nothing out, an

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image that embodies fully and deeply the contradictory passions of a time.

It is important to remember that many important painters around de Kooning soon abandoned the effort to reconcile cubism with surrealism. Pollock, Newman and Rothko developed styles that appeared to transcend—indeed, to discard—both cubism and surrealism. Or to put it differently, their art sought an escape from history, tradition and the self. On the one hand they elevated the implied Cubist grid of much modern painting into what Greenberg called an "all-over" composition, in which the traditional meeting, arranging and resolving of individual elements of form were suppressed in favor of a single, overwhelming visual idea. On the other hand they elevated the artist's interior self to the status of myth. The self was also to be transcended, inflated (often in the Jungian manner) into an all-over archetypal representation of the human condition.

This resulted in some marvelous paintings; and some big huff-and-puff. It also left little for painters to work with. What was painting to do now? There were only so many all-over "field" paintings that could be presented, only so many self-conscious elaborations of fine formal points or elevations of the personal unconscious into universal myth. Painting had suddenly established as its ambition the emptying out of virtually everything upon which painting had depended. The responses to the dead-end were many. Artists seriously interested in painting were free, of course, to disparage or to ignore the implications of Pollock or Newman, but modern artists of large sensibility—even those who do not call themselves modernists—have never found it easy to take one or two steps back. (Stepping back centuries or across cultures is always much easier.) Some artists in the aftermath of abstract expressionism bolstered their art with social comment and popular culture, without paying too much mind to painting. The Dada tradition flourished, as did irony, humor and camp—all deflators of the heroic effects of abstract expressionism.

What was being lost was the conviction that painting could embody, through its own resources and traditions, the fullness of the contemporary world—as *Excavation* had done. Painting began to assume a smaller place: it no longer appeared central, in its process and its vision, to modern life. Either it withdrew toward the mandarin purity of Greenberg or it became increasingly dependent on the punchiness of commercial graphics; and the latter, though it might be a true reflection of contemporary reality, lacked the visual profundity of the great painting of the past. (Of course, it was not just artists who emptied painting, it was also the wider culture, which corroded the values on which painting relied.)

De Kooning is the great refuser of this fate. That is his historical role. He did not curtail the ambition of painting, or empty it of its traditional resources, or retire to a corner. Yet he was too sensitive not to know the crisis and feel the threat. After 1950 de Kooning could not bring himself either to repeat his great integration of cubism and surrealism or to retreat into the production of nostalgia. Instead he began bringing a fierce and desperate focus—and sometimes a good goosing—to both the traditional elements of making a painting and to the role of the artist's "self" in the work. This kept painting fresh, the crisis notwithstanding, and forced it into a large life.

Much has been made of de Kooning's academic training, at an early age, in Europe. (He was a poor-boy night student.) Twenty years ago he was routinely criticized for being too "European," as if his art had an accent. But it was precisely this accent that de Kooning put into play. In his hands, paradoxically, tradition almost becomes homemade, a counter or shadow-tradition. He was

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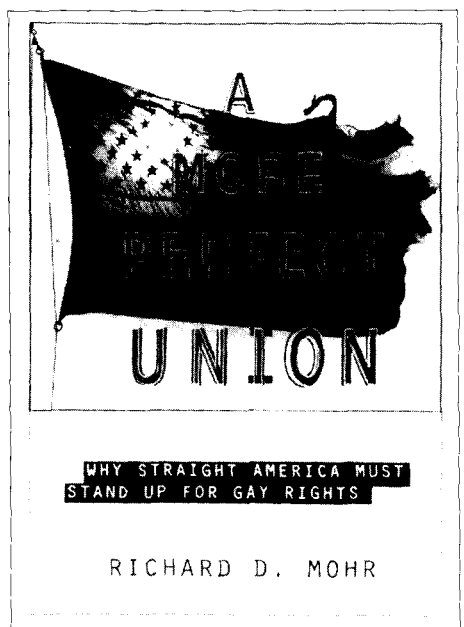

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famously fascinated with technique, process, how-to, craft. (For many years people even believed that he used mayonnaise as a medium.) While he began learning about technique at the academy, he maintained that sense of inherited know-how neither by following the rules nor by ignoring the rules, but by inventing his own elaborate technical processes.

This was not an intellectual decision. De Kooning did not work that way. His native need to challenge his own facility, which was there in his art from the beginning, enabled him to put pressure on painting in a culturally significant way. "For many years," he once told David Sylvester, "I was not interested in making a good painting like you could say 'Now this is really a good painting or a perfect work.' I didn't want to pin it down at all." The refusal to make a good painting, as it was understood by modernists, became de Kooning's way of letting contradiction, imperfection, distortion and paradox—the impurities and the interruptions of the world—into painting. Only in that way could it still find the modern measure.

Private Collection

NIGHT SQUARE (c. 1949)

Around 1950, just as he was receiving the first real acclaim of his life, de Kooning turned his back on his "good" paintings of the black and white style. Some critics date his decline from that point. They should at least take a moment to admire the courage of his choice. He was in his mid-40s, at the height of his powers, in possession of a mature style and celebrated by his circle. Had he continued to paint pictures in his masterly style of 1948, he could have remained pleasing for the rest of his life. Instead, he began breaking down the beautiful synthesis he had achieved. He would do this again and again for the rest of his life, troubling himself and his reputation.

Critics have read dozens of meanings, personal and cultural, into the famous *Woman* paintings of the early 1950s. What has not been adequately emphasized, what accounts for how radically troubling they remain, is that they are *intentionally* not quite "resolved" or "finished" in form or feeling. According to the well-known story, de Kooning kept painting and wiping out the image of *Woman I* for a year and a half, until the art historian Meyer Schapiro, admiring the discarded canvas, prompted the artist to declare it finished. This is usually interpreted as a happy update of the Balzac story about the unfinished masterpiece. (The hero was just being too hard on himself: the painting *was* finished.) In fact, Schapiro's visit prompted de Kooning to recognize the power of the not-finished.

Modernists had long appreciated the open-ended quality of unfinished art. The purposefully not-finished, however, is not the same thing as the unfinished. *Woman I* was not unresolved out of indecision or weakness, but out of strength: it was left to its imperfections by the aggressive decision of a great artist, in order to increase the work's disruptive, expressive power. In the rapid succession of *Woman* paintings that followed, de Kooning was becoming more interested in loosening the compositional joints of painting than in bringing them together.

There is something Flemish in these paintings, of the sort that does not suit contemporary taste. De Kooning took delight in the glorious profusion, in the wonderful "too-muchness," that many people today find so embarrassing in Rubens. And he is Flemish, too, in his delight in grotesquerie. "Beauty is petulant for me," he once said. "I like the grotesque. It's more joyous." (It is the vein of grotesquerie in de Kooning, incidentally, that irks many people who can easily tolerate an expressionist scream or a Mapplethorpe nude.) In describing his effort to render the female form in *Woman I*, de Kooning referred to "above all, the hilariousness of it."

His own putative view of women is often superimposed on these pictures—an understandable surmise, given the temper of this work—but de Kooning himself was quite taken with one critic's notion that he was less angry at women than at painting. De Kooning was not only shoving the female figure back into what had been abstract painting, an action that was widely regarded as in bad historical taste; he was also insisting upon exactly the vivid, idiosyncratic individualism that Pollock, Newman and Rothko sought to transcend. The personal attack on both the figure and the Cubist grid in the *Woman* paintings has none of the elegant restraint found in the black and white paintings. It is the artist's self, not just the female figure, that juts out awkwardly from these paintings.

This is expressed through the furious gestural brushstroke that begins to unbalance the making of a "good painting." De Kooning's hooking stroke is nakedly personal. No painter seems so inseparable from, or so identified with, the character of the actual brushstroke. During the 1950s that personal brushstroke pushed boldy to front and center—and became one of the essential issues of postwar art. As de Kooning struggled with the grid in such abstract paintings as *Easter Monday* and *Gotham News* from the middle of the decade, he became a kind of romantic conductor of almost orchestral brushwork. In the simplified thrusting style of the end of the decade, when his paintings moved closer to the grand strokes of Franz Kline, the brushstroke seems to escape from the grid almost entirely, becoming an imperial avowal all its own.

This was philosophical catnip to a critic like Rosenberg, who often seemed to regard de Kooning as a Dostoyevskian hero engaged in existential battles with his society. "Avowal" was a word popular in the period; Schapiro employed it, referring to Van Gogh's "avowals." You almost never hear the word today. A critic would be slightly embarrassed to use it, fearing that he or she might be considered unironic or naïve. Not surprisingly, Rosenberg has come under much criticism for his celebration of the avowal of the existential self in the "action painting" of de Kooning. While it is true that Rosenberg had little eye for painting, it is also true that the problematic "identity" of artists has served an important function in modern culture,

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which uses artists as symbolic representatives for the possibilities of "self" in modern life.

Greenberg found de Kooning's (and Rosenberg's) emphasis upon the self a vulgar weakness. Greenberg was not only a former Marxist, inclined to value form as history's footprint, but an admirer of Eliot, who had no patience for showy displays of personality, arguing that a great artist escaped the limited purview of the self through disinterested study of, even submission to, the imperatives of his tradition. In a devastating attack Greenberg referred to de Kooning as working in an *obviously* grand and heroic style.

In retrospect both Rosenberg and Greenberg took too simple a view of the painter. But when held together in the mind at the same time, the views of these two critics (who couldn't stand each other) come closer to truth. Their two wrongs together almost make a right. During the 1950s de Kooning began working the troubling edge between grandeur and bombast. This was common to the period: think of Leonard Bernstein, the late Ernest Hemingway, the heroes of Elia Kazan. In de Kooning's case high-minded critics can argue about which pictures of the 1950s veer more toward emotional showiness, which toward existential sublimity, but the great fascination in all cases is exactly that haunting edge between the solitary hero and the narcissist—surely one of the characteristic edges in American culture. It is an edge that is extraordinarily difficult to portray, and de Kooning rendered it unforgettably.

Unlike most maestros of the self, moreover, he was not a prisoner of his public persona. His paintings of the 1960s are utterly different from the paintings of the 1950s. Usually this change is explained as the result of his move to the country: the artist left behind the grit of New York for a new, softer lyricism and a concern with rendering the intense sea-light of Long Island. What is no less true, however, is that de Kooning once again put great pressure on what the artist's "self" means within the tradition of painting. From the imperial thrusts of the brush in the late 1950s, which seem to stand above art, the sensation of self now dissolves into a swirling, watery environment. On Long Island the brushstroke begins to wander and the composition to open seductively, almost the way a man loosens a woman's clothes. The self begins to lose itself in the female body, the landscape, the water, the light—to become inseparable from paint itself.

In the early days on Long Island this move away from the distinguishing self probably held a certain terror for de Kooning. The paintings were full not only of sensual pleasure, but also of a splattering, erotic anxiety. In *Woman, Sag Harbor* (1964), one of de Kooning's most frightening images of a woman, the figure is not the forceful goddess of the 1950s but a beckoning, loose-limbed, boneless, spreading emanation. She is the image of *Woman I* reflected in water.

Later, in the 1970s, the celebration of paint and brush evokes a kind of prelapsarian Eden—a place that is not so much without spirit as prior to spirit. The artist's "self" does not rise, in the transcendent way of Pollock or Newman, but descends into the glory of the all-embracing physical. De Kooning did not have a religious temperament, but he was also not a coarse materialist. He put far too much questioning, nervous pressure on the material world. (This is one of the ways in which his temperament was Dutch.) In the earlier work there is always a certain Protestant anxiety. The radiant art of the '70s, however, becomes so physical that the work's feeling finally displaces into a dream of sensual joy.

As Greenberg feared, de Kooning's great emphasis on the gestural self—on the brushstroke—threatens the tradition of painting. It implies a lack of context for the self, a reduction of art to just me,

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me, me. This is probably the underlying reason for the disappointment that many conservative and Greenbergian critics have expressed about the later work. Greenberg acknowledged de Kooning's enormous gift—he was not afraid to use the word "genius"—but he withheld the word "master." He believed that de Kooning's failure was essentially moral, a failure of character in relation to talent, which manifested itself in an inability to resist the cheaper claims of personality in, for example, his way of composing.

To the extent that de Kooning sacrificed "tradition" to "personality," however, he did so in a way that was far from trivial—it was truthful, for himself and his culture. What was understood as tradition, even in the iconoclastic modern idiom, was losing energy in American culture, becoming one of those impressive word-husks (like "character," "soul," "authenticity") that no longer had any power. This was regrettable; but regret has never been of much use to art. De Kooning, despite his emphasis on the brushstroke and the painterly self, did not abandon the high tradition of painting. It appears in his later art not as something that is either rejected or nostalgically embraced, but as something that must finally flicker like a candle, unsteadily, often beautifully, even at times grotesquely.

Consider the pressure he put on color. It astonishes me that people do not make more of his color. While his draftsmanship has long been acknowledged as the heart of his work, his color has been not much noted and at times disparaged; but he was a highly original colorist who often pushed color where it was not used to going. Over the course of his life he developed not just one but several palettes. Each is so unusual and so vivid that it can be readily summoned before the mind's eye. (What de Kooning can make live together in the same picture—the oranges, the liver colors, the wild pinks—breaks the rules and thrills the senses.) It should be possible, by now, to admire his black and white pictures without smartly pretending that color was some sort of intrusion into his art. Color was, in fact, one of his art's essential strengths.

To cite just one of his palettes: de Kooning, in the early 1960s, said that the colors of the different ice creams at Howard Johnson's, as they swirled into one another, amazed him. In turn, some of his color of the period has a pastel intensity that recalls Pop and the destruction of traditional painterly color. Yet he did not make his pastels a quotation about popular culture, as the Pop artists did. His color has many ghosts: this is where you can see the tradition flicker. You can also sense the rococo in the color of this period and the tradition of realist observation in his evocation of the bleached intensity of the seaside.

But the most important pressure that de Kooning placed upon the traditional practice of painting lay, certainly, in his methods of composition. When he said that he was not interested in making a "good painting," a large part of what he meant was that he did not want to make a picture that seemed, to an eye educated in painting, completed or resolved in the way of a great Cubist painting or his own *Excavation*. This remained true of his art not only in the *Woman* paintings of the early 1950s, but of his work until well into the 1980s.

Yet his compositions always retained a Cubist inflection in their rhythms of space and contour: again, that flicker of tradition. This is what upsets many critics about de Kooning's compositional style of the '60s, '70s and '80s. They believe that something as wonderfully built as cubism is melting in a sludge of Howard Johnson color, that the moral spine is being extracted from the body of modernism, leaving just a vague impress. Many people refer to an invertebrate quality in his art. That his art of this period is not resolved in a Cubist manner, however, hardly means that it is not composed. No modern painter worked harder on his compositions than de Kooning. He simply composed in new ways toward different ends.

What was he hoping to achieve with so much labor over the composition? In part, a sensation of fluidity. Of water, which was important to him throughout his life; of light, which was especially changeable at the seashore; of sex and lovemaking; of the play of consciousness itself. For de Kooning the container could not be too strict, if it presumed to hold consciousness or desire. He struggled to get his pictures just unbalanced enough to serve his responsibility toward both truth and tradition. He also wanted to keep his surfaces alive, which demanded that the compositions retain some carefully adjusted measure of openness, so that they not close off, conclude, advance too far from the imperfect process of their creation. He once said he was made almost physically sick by his own Ingresque drawings of the late 1930s and '40s.

How does one make a strong form of the formless? How does one float without floundering? In the great painting of 1975, ... *Whose Name Was Writ in Water* (the phrase is Keats's epitaph for himself), color is one of de Kooning's instruments for conveying, with strength rather than slipperiness, both water and the fluid character of fame and human identity. Puckering and acidic colors find their foil in softer, slightly sweet and dusky yellows. The supple layering of space is another way in which the formless is given form. The heavily loaded brush skittering right on the surface, like a splash of water, is carefully related to another deeper level of watery space below, a ghostly section where the paint has been partially wiped away (offering an amazing sensation of the sky's reflection on momentarily quiet water).

Perhaps the most original means of resolving form in such pictures, however, is the varying visual "speed" of de Kooning's brush. The brushstroke will lead the eye at one speed, then at another. A loaded brush of crimson will move the eye along at a certain tempo, then fishhook, dropping the eye into a slow-seeming patch of yellow. The left side of ... *Whose Name Was Writ in Water* is an extraordinary concatenation of speeds, resembling what happens when water backs up against a pier or two currents meet, creating a complex but also entirely logical (in the way nature always has its reason) choppiness. The composition as a whole, however, is a complex and poetic adjustment of vertical and horizontal thrusts.

If Pollock broke the mold, de Kooning preserved it. The effusive quality of his sensibility may never suit conservatives who make a cult of restraint, and the powerful stress that he placed on painting may always upset some who love the medium. But de Kooning was a conservative in the best sense of the word, one who sought to retain the essential values of Western painting without succumbing to nostalgia or averting his eyes from the full face of modernity. De Kooning was proud of being "impure"; but he stayed a painter. It makes sense that he should matter to a wide variety of postwar painters, as different as Fairfield Porter, Jasper Johns, Rackstraw Downes and Susan Rothenberg. It is not easy today to find a committed painter—one for whom the medium itself remains critical—who speaks ill of de Kooning or who does not recognize the importance of the shot he took.

Painting has, of course, died a thousand deaths, and it will probably die a thousand more. In this sense the show at the National has an unwittingly tenebrous quality, as if here, again, is one of the last great gasps of modernist painting. Part of de Kooning's poignant, representative power comes from the ethereal and fading character of his late

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work—those ribbony pictures (some call the imagery "kite-tails") that he began making in the 1980s. The current arguments over the value of this late style are fully in keeping with the long tradition of polarized responses to his work. For some they are the sublime late works of a master. For others, they are simply the final evidence of his decline, works of senility without the character of serious art.

First, a point of fact. De Kooning today is widely thought to have Alzheimer's Disease. Some people close to him doubt this diagnosis. Whatever the actual illness, the point that must be stressed is that, until at least the mid-1980s, de Kooning was not senile. He was a very old man who had serious difficulties with his short-term memory, but he was not making senile art. He spoke specifically of trying to attain an ethereal quality in his art, to get a feeling of lightness and lift into the paint.

How, then, should one judge these late works? With neither hallelujahs nor groans. To be sure, de Kooning's earlier pictures would dominate these dilatory "ribbons." The ribbon paintings do not quite have the profundity that we associate with the greatest of late styles, that quality of transcendent summary that one finds in late Beethoven or late Matisse. The ribbons may represent a simplification; but too much has been taken away. Yet the emptiness is not clinical, and the pictures matter. They have a peculiar and haunting force. (The condescension toward the late de Kooning reminds me of the condescension toward the final Billie Holiday or the final Lester Young, whose instruments, the voice and the saxophone, were said to have been shattered by experience, in her case drugs, in his case boot camp. Listen to their final records and the special beauty of shattered instruments will be plain.)

The ribbon pictures show a man whimsically following his hand in the intense white light of the shore, a man humming snatches of melody on the lip of the grave. The artist whose work was always so physical and so full of fight finally yields to the beguiling air. If the pictures do not have the strength or the tension of his earlier work, de Kooning probably did not want them to. They are meant as the paintings of an old man; and they express what it is to be an old man. They convey an old man's bursts of intensity; the slipping off into vacant dreaminess; the scattering of the whole into sharply remembered pieces; the forgetfulness of time and place; and the constant reprise of past events and achievements, which come drifting into the mind as if from nowhere. De Kooning's ribbons are a ghostly emanation of the work of the 1940s. A friend of the artist, referring to one of de Kooning's great paintings of 1949, calls these later works a "cleaning out of the *Attic*."

In de Kooning's ribbons the modernist tradition itself seems to be wistfully, almost imperceptibly drifting away from us. That is partly what is heartbreaking about the vacancy in these paintings. What is present reminds one so strongly of what is absent. Yet the absence is itself a significant subject, a theme set by a working mind for a working hand. When he painted these pictures, de Kooning still possessed the power to record the ebbing of his power, and that is his final paradox. •

Speak, Memory

BY GERALD EARLY

Colored People: A Memoir by Henry Louis Gates Jr.

(Knopf, 216 pp., $22)

Henry Louis Gates's book is the latest in a series of autobiographical works by noted black baby boomers—ex-Black Panthers, first-generation school integrators, former and current social service and government agency administrators, journalists, educators—the group born between 1947, when Jackie Robinson broke the color line in major league baseball, and 1954, when the Supreme Court ruled that racially segregated public schools are illegal.

This generation was too young for the glory days of the civil rights movement in the early 1960s, and it is too old for the era of the Hip-Hop Nation today. And it was this generation, or at least its professional and middle class, that was either in adolescence or young adulthood during the age of black militancy and black pride; that idolized Muhammad Ali, Malcolm X, Nikki Giovanni and Bruce Lee; that cut its cinematic teeth on *The Mack, Sweet, Sweetback's Baadasssss Song, Shaft, Cleopatra Jones* and a busty Pam Grier defending the pride of the black community against white gangsters; that demanded black studies programs on white college campuses; that started the '70s with Gil Scott-Heron's *The Revolution Will Not Be Televised*, Miles Davis's *Jack Johnson* and *On the Corner* albums, Marvin Gaye's *What's Going On* and James Brown's *The Payback* and ended the '70s listening to Donna Summer, Earth, Wind and Fire, Bootsy's Rubber Band and the recordings of Richard Pryor.

It was this generation, too, that started the '70s reading *The Wretched of the Earth* while burning incense in rooms plastered with black-light posters of idealized black men and women who always looked angry and proud and always wore belts of ammunition, with everything painted red, black and green. This generation ended the '70s reading Michele Wallace's *Black Macho and the Myth of the Superwoman* and the latest books on racism in white corporate America, while adorning duplexes and condominiums with African gewgaws acquired on the first trip to "the motherland."

Many of them have articulated harsh disaffection with Martin Luther King Jr.'s dream, though not with the man himself or his myth, great disappointment with integration in America. And yet many of them have also lived under fairer and vastly more integrated social and political circumstances than any previous generation of black folk. The most successful among them have lived under conditions that their parents or grandparents could hardly have imagined.

The other significant observation about this generation of African Americans is that it shared many common values and experiences with whites, thanks in great measure to television, that relentless and expanding engine of popular culture, which strained, pulverized and reduced, even as it miscegenated, energized and made accessible. These black boomers were members of the first true generation of television watchers. Many black musical acts were made widely known to whites, of course, as a result of shows like Dick Clark's "American Bandstand," "The Ed Sullivan Show," "Shindig," "Hootenanny" and the like, but it must be remembered also that black audiences were exposed to white acts—from Steve Lawrence and Edie Gorme to Johnny Rivers and Dusty Springfield—and the

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general trends in white popular music.

Blacks watching television also saw Andy Williams, Dinah Shore, Dean Martin, Lawrence Welk, Perry Como. And black children grew up watching "The Flintstones," "Top Cat," "Huckleberry Hound," "The Adventures of Zorro," "Davy Crockett," "77 Sunset Strip," "Bonanza," "Gunsmoke," "Ben Casey" and the rest. Thus they have a reservoir of cultural memory not unlike their white counterparts. "Actually, I first got to know white people as 'people' through their flickering images on television shows," writes Gates in his memoir. This assertion seems to me to be even more important than the fact that, as he reports, blacks also made it a point to watch any black person who appeared on a television show.

Television, in short, served as a medium of cultural and social mediation for *both* blacks and whites. Like white children, black children were deeply affected by children's television, and it was the entire generation of baby boomers that witnessed its cultural culmination in the advent of two children's shows in the late 1960s, "Sesame Street" and "Mister Roger's Neighborhood," that reaffirmed and reinforced the politics of integration that flourished in America in the '60s. These shows furnished a new version of the melting pot. Their idealizations of the neighborhood came along at a time when baby boomers, black and white, were experiencing youthful struggles about identity and belonging, and provided a soothing cultural counterpoint to the psycho-social angst.

In his memoir Gates draws attention to popular culture as a mediating force between the races. He mentions a number of television shows that he watched as a child, as a way of paying tribute to the enormous, unifying influence of the medium. He remembers them not only because he wants his readers to know he remembers them, but because he feels it important to show his readers that he *wants* to remember them. But Gates also has a less inclusive purpose. He talks most about watching that old "Amos 'n' Andy" television series, a popular radio series that debuted on television in the early 1950s, for only a season or so before the NAACP successfully protested and forced the network to remove the show. "What was special to us about 'Amos 'n' Andy,'" writes Gates, "was that their world was *all* colored, just like ours. Of course, *they* had their colored judges and lawyers and doctors and nurses, which we could only dream about having, or becoming—and we *did* dream about those things."

Gates wishes to accomplish two things, I think, with his recollections of "Amos 'n' Andy." He wants to distinguish his generation from that of his parents and grandparents, who probably listened to the show on the radio with white actors playing blacks, while he saw the show on television with black actors. He also wants to give the reader the idealized version of black community that he was given from television, a black world that, he claims, gave him role models of a sort, though it presented black people as being little better than children. "Amos 'n' Andy" functions, in Gates's imagination, as a kind of children's program about a romanticized black neighborhood where all classes and kinds meet and live together in harmony. That the black professionals in the show were presented as comic rather than as competent, and that the show itself was the invention of whites, seems of little concern to Gates. He wishes to connect with all his baby boomer readers, white and black, by stressing the impact of television. But he also wishes to diminish its "white" influence by speaking of his identification with a paradigm of black community in "Amos 'n' Andy."

Perhaps this is what Gates means in his preface when he says that "I want to have my cake and eat it, too." He finds himself in the intriguing position of wanting to idealize the black world of the 1950s *and* wanting to denounce segregation and all its ills. It is a predicament that is shared by many of his generation and his class.

In the growing literature of contemporary African American memoirs, strong and viable communities are frequently uprooted and destroyed by the plague of integration, which, tellingly, coincides with the plague of heroin addiction, a kind of whiteness indeed, that hit many urban black communities in the 1950s. In such a reading of American social history, black communities before 1954 were, segregation notwithstanding, or perhaps owing to segregation, the American equivalent of an Edenic Africa before the coming of the white man. Black folk, obsessed by their own needs for grand origins and for a collective memory that tells of an uncorrupted unity, have their own myth of fallenness, of the invasion of evil, which appears in the science fiction-like form of strange-looking aliens. And yet there is a painfully obvious problem about such an idyll. If the black world before integration was so attractive, why was there a civil rights movement?

Gates gives us, on the one hand, the metaphor of the segregated company picnic: he conveys black community with a set of cultural cameos—games, food, nature, neighborliness, bourgeois leisure—that ensure sentimental associations for both black and white readers. On the other hand, he tells of his departure from the black Methodist church of Piedmont, West Virginia, for the integrated Episcopal church, and describes this departure as a way of escaping a narrow, confined view of life, much like what the experience of integration did for him generally. Like many other black professionals and intellectuals, Gates is not in any position to deny the reality of an efficacious black community of the past. He needs precisely such a past if he is to have a valid cultural heritage, if he is to authenticate the uniqueness of his being black in a society where part of his presence in the white world is based on the assumption that such a uniqueness exists. And yet he is also not in any position to deny the value of integration. He owes his well-being, and his accomplishments, to that social revolution.

Gates says, in the preface to his book, that his purpose is to acquaint his daughters with the fast-vanishing milieu of a certain type of black neighborhood (the small Southern town) and the fast-vanishing phenomenon of neighborliness (say, tipping one's hat to black strangers in show of solidarity and, I guess, empathy). *Colored People* is a memoir of childhood written not for children, but with children in mind. And this, again, is part of a larger story, and a considerable danger.

It is important to understand that African Americans, despite their nationalistic pretensions, cannot envisage any kind of community (certainly not anything remotely African) except what they have been taught to understand as community in the American sense: democratically inclined pockets of various "interesting" characters and small "personal" institutions based on extended families and intent on striving, if not toward the New Jerusalem, then toward the New Springfield. The trouble is that this sort of reconstruction of the African American community of the past makes the African American past no longer worthy of serious contemplation and reflection, but only an object of the most narrowing sentimentality, locked irrevocably into a view of childhood.

Associating any particular social era with childhood is always suspect, likely to conceal as much as it reveals. This is why Gates's book, about his black neighborhood in Piedmont in the 1950s and 1960s, is a great deal more and a great deal less than a mere autobiographical narrative of a time never to be recaptured. We are told the story of both sides of his family—the Colemans and the Gateses, a mixture of working-class and

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middle-class African Americans, many college-educated; and we are given a picture of black Piedmont and white Piedmont, as it figures in the narrative of his growing up, his schooling, his adolescent sexual angst, his church life, his political conversion to black militancy, his final departure to Yale University after a year at a local college. This is a readable but fairly standard coming-of-age narrative that trades on the fact that a contemporary black person remembers. The book, in other words, winds up being not about the contradictions of the time about which it was written, but about the contradictions of its own time.

It is a document of *this* time, and this is a time that is marked by the popular apotheosis, and the utter diminution, of personal memory in American culture. In contemporary America, the act of remembering mixes the personal and the political. Consider many of our scandals: Catholic priests whose alleged victims cannot remember enough; or Holocaust deniers, who claim that victims remember too much; or Clarence Thomas and Anita Hill, one or both of whom certainly misremembered something; or the recent epidemic of allegations of child abuse based on "recovered memory." Nobody seems able to agree on any kind of past that means anything at all. What is memory, to paraphrase Nietzsche, but the way in which the spirit of man apprehends events impenetrable to him? And what is more impenetrable than childhood, or the raw fact that we have had our lot thrown in by some strange god with a particular set of human beings with whom we must make a life and the myth of a community?

Gates's book possesses a great many virtues. Some of its parts are richly evocative, summoning a deep sense of 1950s small-town America, recalling a bygone age with charming simplicity. (This is, without question, the most accessible of Gates's books.) Particularly striking are the scenes of his mother's breakdown, his own struggles with physical disabilities as a teenager, the characterizations of some of his more picturesque relatives. Parts of the book are lovely, such as the chapter about Gates's experience playing Little League baseball, or the chapters on the Gateses and the Colemans. But his overall description of the world of work and play for the black folk of Piedmont in the 1950s is as indicative of the problem with this book as anything:

> The soul of that world was colored. Its inhabitants went to colored schools, they went to colored churches, they lived in colored neighborhoods, they ate colored food, they listened to colored music and when all that fat and grease finally closed down their arteries or made their hearts explode, they slept in colored cemeteries, escorted there by colored preachers: old black-suited Southern preachers, with shiny black foreheads and an insatiable desire for fried chicken, men for whom preaching is a personal call from God, a direct line on His celestial cellular phone. They dated colored, married colored, divorced and cheated on colored.

This sense of self-enclosure, which makes the book sometimes fun to read and to think about in a critical way, soon traps Gates in a bunch of rhetorical and cultural conventions that never truly examine anything, not least the assumptions upon which they are built. They certainly fail to examine Gates's main assumption, which is that personal, surface descriptions of picturesque, cultural rituals are explanations of the nature of those rituals and the culture that they memorialize.

Why, even in his mind as a child, did Gates think that black people develop their particular way of life, and what did he find repugnant about it, and what did he find attractive in it? Take black music, which Gates discusses in his first chapter and elsewhere in the book. Descriptions of how much black folk liked their music, and of the sensuality with which they danced to it, do not tell us what this music means to them in the end, or why it means what it means. That is not to say that Gates should have been expected to speak about his early pleasures in a scholar's voice; but even for the memoirist and the chronicler there is more that must be said.

Despite its virtues, then, *Colored People* is not a satisfying book. It seems, at times, too facile and too cliché-ridden. How many more accounts of hair-straightening and greasy soul food can we stand? How many more scenes of conversions in black evangelical churches? How many more accounts of how older relatives were convinced that whites were dirty and smelled like dogs when wet? Gates sketches these scenes almost as if he is leading tourists through an African American theme park, or through a "colored" museum. (There is sometimes the kind of pandering of which Zora Neale Hurston was occasionally accused.) Even Gates's vernacular, street-smart style, with which, I suppose, he wants to remind his readers that he was an insider in the world that he is describing, a "soul brother," begins to irk after a while. The writer's blackness is being too much acted out for his public.

Gates, in short, set his target too close. He did not challenge himself as a writer, and he did not demand of himself or of his material what he needed to make an important book, instead of an amusing, occasionally touching, but often sentimental work. For a memoir, moreover, the book seems coy and unforthcoming. There must have been more to his conflict with his father than a disagreement over the aesthetic value of sports. What about his relationship with his older brother, Rocky? The sibling rivalry seemed relatively mild, with Rocky apparently doing little more than leading the way in school. Gates recalls that he dated white women even as he became a black militant in the late 1960s, but he never indicates that he felt a sense of contradiction. If he did not, why not? As Gates writes: "Since Maura [his girlfriend] was white, I felt that I was making some sort of vague political statement, especially in the wake of Sammy Davis Jr. and *Guess Who's Coming to Dinner*." But this begs the question of the connection of politics with sexual desire, which was more honestly and comically confronted in Cecil Brown's novel *The Life and Loves of Mister Jiveass Nigger*. And anyway, by the late 1960s Davis was no longer married to Mai Britt and *Guess Who's Coming to Dinner* was ridiculed by most young blacks of Gates's generation (as was its star, Sidney Poitier) for its politically retrograde roles.

My own sense is that Gates was never seriously conflicted. His narrative certainly conveys no impression of tension in his feelings about any of the people it describes, or about his relations with them. The people in this book have

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color, but they lack blood. Everything bubbles along on the surface. There are deeply evocative moments, but there is no great voice guiding the telling. And the victories of self-awareness that Gates describes are achieved a bit too easily. He wishes, again, "to have my cake and eat it, too," but who can? He says that he wants "Bach *and* James Brown. Sushi *and* fried catfish"; but satisfying the largeness of one's appetites can also be a way of evading the question of why one wants what one wants, which is a question that Gates never rigorously confronts.

Gates is one of the most gifted and accomplished black academics in American history. He is in many ways an awe-inspiring figure, especially since he has achieved his celebrity by being a literary critic, a somewhat arcane intellectual pursuit. For a man of Gates's stature, then, one must have high standards. And so one is obliged to ask, about *Colored People*, not if it is worth reading (anything that Gates puts on paper is worth reading), but whether it was worth writing. This book makes one worry that Gates's position is foreclosing what he can do as a writer, pressuring him to produce work that seems not as carefully thought-out and crafted as it might be, more preoccupied with the projection of a public image that would please blacks and not alienate whites than with the exploration of the meaning of his consciousness. Gates's talent and intelligence promise a great deal more than this book delivers.

And what of black community? Toward the end of his book, discussing the time of his conversion to a moderate black cultural nationalism, Gates writes: "It was an exciting and sincere effort to forge a new communal identity among a people descended from splendid ancient cultures. . . ." These words betray the true point of departure for Gates's book. For in the end it hardly matters, in measuring the worth or the humanity of black people, whether they have descended from splendid cultures or from ordinary cultures not deserving of mention. As Richard Wright wrote in *Black Boy*:

> And when I brooded upon the cultural barrenness of black life, I wondered if clean, positive tenderness, love, honor, loyalty and the capacity to remember were native with man. I asked myself if these human qualities were not fostered, won, struggled and suffered for, preserved in ritual from one generation to another.

The important task is not, as it has become for some people, to say wonderful things about black community for the purpose of making African Americans feel good. The important task is to recognize and to record the enormous, strenuous effort that is required for any group of human beings to make a community anywhere, and particularly under the tragic circumstances in which black people in America have been forced to try. When African Americans understand that they have nothing to prove about the worth of their heritage or the worth of themselves, they will see the depth, the power and the transcendence of their communal experience.

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The Craftsman and the Nihilist

BY JEFFREY ROSEN

Learned Hand: The Man and the Judge by Gerald Gunther

(Knopf, 818 pp., $35)

The publication of Gerald Gunther's biography of Learned Hand is a canonical sort of event. Hand never made it to the Supreme Court, but he is generally ranked, as Gunther emphasizes at the beginning of his book, in the more rarefied company of twentieth-century judicial deities that includes Holmes, Brandeis and Cardozo. And Gunther is a high priest in his own right: after clerking for Hand in 1953, he went on to write the leading casebook on constitutional law, and was anointed as Hand's official biographer by Felix Frankfurter, who dissuaded Hand from burning his personal papers by impulsively promising him that Gunther would chronicle his life.

More than two decades after beginning his research, Gunther has produced, as expected, the definitive biography of Hand. But if the risks of the project included a potential lack of critical distance, then Gunther has overcome them. The most impressive achievements of this exceptional book are not only Gunther's legal analysis but also his subtle psychological account of a morbidly insecure, fearful personality, who agonized endlessly about "how I came to be such a nut," who would throw temper tantrums from the bench and then dance about his chambers singing Gilbert and Sullivan, and who managed to endure almost thirty years of wrenching separations from a wife who preferred the company of a Dartmouth French teacher. By approaching his self-consciously literary subject from a literary as well as a legal perspective, Gunther has painted a beautifully textured and balanced portrait of America's most refined judicial aesthete.

But would the Supreme Court really have been well-served if Hand had won the appointment he was repeatedly denied? It is a tribute to Gunther's objectivity that one finishes the biography with lingering doubts about whether Hand's reputation is entirely deserved. As a common law judge, fashioning elegant formulas to resolve disputes between private parties, Hand's attention to detail and his ornate, belletristic style were unmatched. But as a constitutional theorist, his views can only be called exotic. For he was an advocate not of judicial restraint but of total judicial abstinence. In his 1958 Holmes lectures at Harvard, his response to the excesses of the Warren Court was to emasculate the Bill of Rights entirely: the dangers of judicial over-reaching were so great, he felt, that citizens should regard the Constitution and its amendments as a series of admonitory moral principles, rather than as a set of rights to be enforced by judges. And the Holmes lectures represented more than the unguarded despair of an 86-year-old man: they were the culmination of a lifetime of proposals to repeal, or to ignore, various provisions in the Bill of Rights, all justified in the name of judicial prudence.

Hand's struggle to reconcile his liberal skepticism—he defined liberty as "the spirit that is not too sure it is right"—with the power of judicial review reflects the central drama of twentieth-century jurisprudence; but his descent from skepticism into constitutional nihilism is a cautionary tale. When President Clinton, in announcing Stephen Breyer's nomination to the Supreme Court, compared Breyer's vision of liberty to Hand's, he cannot have understood the dark vision that he was endorsing.

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The personality that emerges from Gunther's early chapters is perversely appealing, not least for the endless self-doubt and protestations of failure. (Henry Adams comes to mind throughout the biography.) Born in Albany in 1872, Hand felt oppressed by the expectations of his father, a lawyer whose achievements, Gunther notes, were considerably more modest than his family maintained. Even his name gave him agonies. He was christened Billings Learned Hand (his mother, Lydia Coit Learned, came from a family that had long used family surnames as given names); and he worried whether "Billings" and "Learned" were adequately "masculine," or whether they suggested a "sissy."

At Harvard College, a class photograph indicates, Hand was a solemn homunculus whose pointed beard earned him the nicknames "Mad Russian" and "the Mongolian Grind." Although he distinguished himself at college, and was the class day orator in 1893, his intellectual heroes, Santayana, James and Royce, failed to encourage his desire to teach philosophy; and so he went to law school instead. ("Law has always been a kind of slop box for boys who don't know what else what they want to do anyway," he sighed years later.) At Harvard Law School he fell under the spell of James Bradley Thayer, whose approach to constitutional law "was to imbue us with a skepticism about the wisdom of setting up courts as the final arbiters of social conflicts."

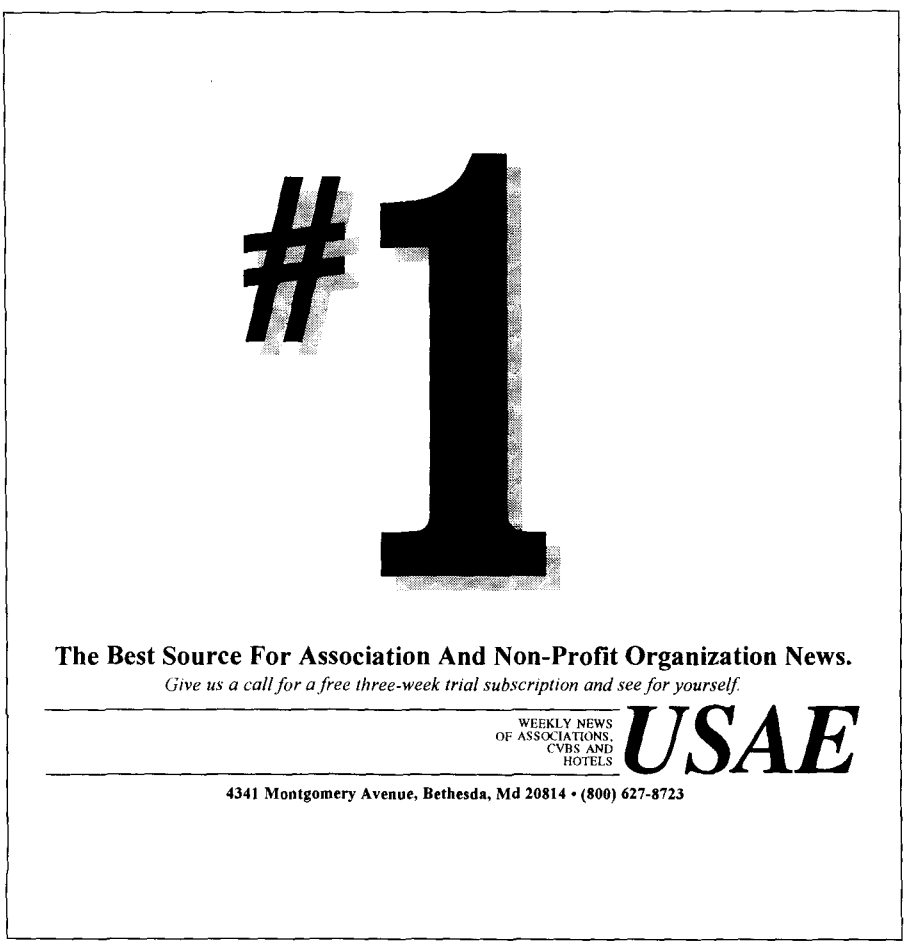
Graduating in 1896, Hand practiced law for more than a decade in New York City, with little to show for his efforts. "I was never any good as a lawyer," he told incredulous listeners in later years. "I didn't have any success, any at all." Based on his growing reputation as an intellectual in New York salons, however, President Taft appointed him a federal district judge in 1909, when he was 37. And fifteen years later he was promoted to the U.S. Court of Appeals for the Second Circuit, where he served until his death in 1961.

Gunther describes Hand's poignant marriage to Frances Fincke by quoting extensively from their private correspondence. Like Felix Frankfurter, who spent a lifetime writing effusive, self-dramatizing letters to an unresponsive, and apparently resentful, wife, Hand addressed Frances as "Kitten" or "Kitty," occasionally as "Dearest Puss," "Dearest Heart of Life" and "My Dearest of Women"; and his affectionate signatures included "Your Woodcockie" and "Your Own Pucky Catnip Boy." Frances, for her part, saved her own endearments for her lifelong friend, Mildred Minturn, with whom she had a kind of Boston marriage at Bryn Mawr. In the Victorian fashion, they addressed each other as O.S., for "Only Sister."

After thirteen years of marriage and three daughters, Frances met Louis Dow, who taught French at Dartmouth, and began to spend several months each year with him at the Hand summer house in Cornish, New Hampshire, while Learned Hand pined and churned in New York. "I don't know how much longer I can take this," he confessed to a friend, even as he wrote a stream of self-flagellating letters blaming himself for her neglect. "The first task of that man's biographer," Walter Lippmann once told Ronald Steel, "will be to enquire why he remained for so long on such good terms with his wife's lover." But Gunther is a little opaque on the underlying question: "It is by no means clear that they were in fact lovers, even though some people, especially in Lippmann's generation, thought so." As Dow finally expired in 1944, Frances flew to his Cornish deathbed, while Learned, pleading a "nagging cold," added apologetically, "I hope Lou will not be too much disappointed."

Hand's most important friendship during his first years on the bench was with Herbert Croly, founder of THE NEW REPUBLIC. They met in Cornish during the summer of 1908; and it was Hand who sent Theodore Roosevelt a copy of Croly's book, *The Promise of American Life*, which Roosevelt invoked repeatedly during the Bull Moose campaign in 1912. Hand also relied on the tenets of Croly's "New Nationalism"—public control of corporations, public support of trade unions and protective legislation for factory workers, women and children—when he helped to draft the Bull Moose platform. After concluding that his excursions into progressive politics were threatening his judicial detachment, Hand found a home at what he called "the House of Advanced Truth," the new magazine Croly was founding in a yellow brick townhouse on West 23rd Street.

No person, according to Gunther, was closer to Croly during the organizing year than Hand was: not only did he help to select the editors, but he also drafted a circular to solicit potential subscribers, and even chose the circulation manager. Croly repeatedly tried to convince Hand to leave the bench and join the magazine, either as an editor or a columnist. But like Frankfurter, who turned down Croly's offer of an editorship to teach law at Harvard, Hand preferred to keep his connection informal: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he wrote several brief essays, most of them published in 1914, all but one of them anonymous. The theme that runs throughout Hand's pieces is progressive idealism. In his first contribution he called on expert, independent agencies, rather than courts, to develop standards of anti-trust policy.

Hand's essays in THE NEW REPUBLIC are useful evidence that the radical abstinence in his later Holmes lectures had its roots in his progressive politics. In his articles Hand attacked the decisions of the Lochner-era Supreme Court, where the justices invoked the vague language of the due process clause to invalidate progressive economic legislation. (The clause, which says that no person shall be deprived of "life, liberty, or property, without due process of law," refers only to legal procedures; but the Court interpreted it to mean that certain substantive economic liberties could not be deprived under any circumstances.) Hand's outraged comment on the *Coppage* case, where the Court struck down a Kansas "yellow dog" law prohibiting employers from discriminating against union members, sounded an improbably populist note: "Are we not finally driven to the conclusion that such decisions come from the prejudices of that economic class to which all the justices belong, and that they are merely unable to shake off the traditions of their education?" The due process clause, Hand argued, "can never be other than the means by which courts exercise a legislative function." With admirable consistency, Hand stuck to this position throughout his career, even when the Court began to invoke the doctrine of "substantive due process" for liberal rather than conservative ends.

At the root of the problem, Hand insisted, was the danger of granting legislative powers to judges who are independent of popular control. Judicial self-restraint, which he favored, or popular control of the judiciary, which he loathed, were the only possibilities consistent with democracy. But there was nothing restrained about Hand's proposed solutions to the problem. In his *Coppage* editorial in 1914, he called for a total repeal of the due process clauses: "The possible uses [of due process] at best are trifling compared with the evils which come from decisions like these; it will be a great gain to take out of all constitutions such provisions as the Fifth and Fourteenth Amendments." After the 1923 *Adkins* decision, which struck down minimum wage laws for women, Hand embraced Senator William Borah's proposal to require a 7-2 majority for all Supreme Court decisions invalidating laws under the due process clause. In his eagerness to avoid judicial over-reaching, in other words, Hand was willing to jettison the procedural *as well as* the substantive guarantees of the due process clause, whose antecedents stretched back to Magna Carta.

Although Hand had no qualms about tampering with the text of the Constitution, he was reluctant to tamper with the sacred prerogatives of judges or courts. He opposed, for example, FDR's court-packing plan, and Theodore Roosevelt's proposal in 1913 for popular recall of judicial decisions, on the grounds that both would threaten judicial independence and political stability. In the same spirit he opposed the 1958 Jenner-Butler bill designed to curb the power of the Warren Court by eliminating its jurisdiction over cases involving loyalty and subversion. "Some final authority," he said, "is better than unsettled conflict." He appeared, at times, to be more concerned with preserving the institutional autonomy of judges than he was with preserving the Constitution itself. But both positions were consistent with his horror of direct popular controls and his exaltation of elite judges, restrained by their own sense of discretion rather than by the textual Bill of Rights.

If Hand's constitutional nihilism were limited to his hostility to the doctrine of substantive due process (which does not appear in the Constitution), then perhaps he could be forgiven as an overzealous textualist. After all, the resurrection of substantive due process in the contraception and abortion cases of the '60s and '70s confirmed many of Hand's fears about judicial legislation. But throughout his career, Hand continued to advocate and to practice judicial abstinence, upholding laws even when they conflicted with rights that *do* appear explicitly in the text of the Constitution. He invalidated an act of Congress only once in his fifty-two year career, and even then he could only bring himself to strike down part of FDR's National Industrial Recovery Act, rather than the whole act. During his first twenty-five years on the bench, he found only two state laws unconstitutional, and both decisions filled him with qualms.

Hand's most infamous refusal to enforce individual rights is his 1951 decision in the *Dennis* case. He upheld the Smith Act, a sweeping federal sedition law passed in 1940, and he sustained the conviction of eleven Communist Party leaders for advocating revolution. (To be more precise, the defendants were charged with conspiring to organize a group to advocate revolution, a charge that came perilously close, as Harry Kalvin has noted, to a conspiracy to organize a conspiracy to commit a speech crime.) Instead of skeptically evaluating the government's implausible claim that teaching Marxist-Leninist doctrine would lead inevitably to violence, Hand melodramatically described the world situation during the cold war: "Any border fray, any diplomatic incident, any difference in construction of the modus vivendi—such as the Berlin blockade we have just mentioned—might prove a spark in the tinderbox, and lead to war." And instead of focusing carefully on the immediacy of the danger, Hand announced a lax reformulation of Holmes's "clear and present danger" test. In words the Supreme Court would endorse, Hand said that courts must ask "whether the gravity of the 'evil,' discounted by its improbability, justifies such invasion of free speech as is necessary to avoid the danger." This gave judges broad discretion to balance their personal notions of public order against the value of free expression.

Can Hand's unsettling performance in *Dennis* be reconciled with his lifelong commitment to freedom of expression? Gunther emphasizes Hand's personal opposition, expressed in letters and courageous speeches, to the Red Scares of the 1920s and the 1950s; and he stresses that, as a trial judge, Hand had taken a much more expansive view of the First Amendment. In the 1917 *Masses* case Hand proposed a rigorous First Amendment test that the Supreme Court ignored at the time but eventually adopted in the 1960s. The *Masses* suit arose under the Espionage Act of 1917, which made criticism of the government a federal crime for the first time in nearly 120 years. According to most judges of the era, speech was punishable if violation of the law was the probable effect of the words. According to Hand, however, judges had no special competence to foresee the future; and they were not likely to be immune to the "herd instinct" of wartime hysteria. He urged instead a more "absolute and objective" test focusing on the nature of the words themselves, rather than on their probable consequences. If the words counseled a violation of the law, then they could be forbidden; if not, they had to be protected.

Hand's *Masses* test was undoubtedly advanced for its day, and more protective of free speech than Holmes's "clear and present danger" test. (It inspired Zechariah Chaffee to dedicate the first edition of his free speech treatise to Hand rather than Holmes.) Still, Gunther seems a little too quick to invoke the *Masses* as an excuse for Hand's per-

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formance in *Dennis*. Until the end of his life, Gunther insists, Hand remained personally committed to the brave libertarianism of the *Masses* test, but he was bound in *Dennis* by three decades of confused Supreme Court precedent. In an article in 1975, however, Gunther ventured a slightly less charitable explanation of the gap between *Dennis* and *Masses*:

> Perhaps most basic of all were Hand's growing doubts that courts could truly aid in preserving freedom of expression in times of crisis. That skepticism was far deeper in his later years than it had been during World War I. By the time of his Holmes Lectures in 1958, he had come to view the First Amendment as one of a set of moral abjurations, not as a judicially enforceable norm.

Certainly, if Hand's constitutional legacy were evaluated solely on the basis of the Holmes lectures, then he would be dismissed as a judicial eccentric rather than lionized as a paragon of restraint. Reading the lectures after reading Gunther's fair-minded account of them, I found them really over-the-top: grandiose, precious and ultimately lawless in exhorting judges to refuse to enforce the entire Bill of Rights—the First Amendment as well as the more amorphous parts. Hand's first lecture, "When A Court Should Intervene," raised eyebrows in 1958 with its breezy assertion that there was no foundation in constitutional text or history for the judicial power to strike down democratically enacted laws.

This provoked one of the most famous rebuttals in modern legal history, Herbert Wechsler's 1959 article, "Toward Neutral Principles of Constitutional Law," which meticulously demolished Hand's textual and historical claims. Wechsler also criticized Hand's suggestion that the need to avoid political turmoil and anarchy, rather than constitutional logic, might justify the invalidation of laws in rare cases. Rejecting Hand's magisterial notion that judges should strike down laws as a matter of prudence only when the constitutional system was in danger of "collapse," Wechsler called on the Warren Court to justify its decisions with "neutral principles"—principles that transcend any immediate result or danger presented by a particular case. Wechsler's article shaped constitutional scholarship for a generation, while Hand's more strident attack on the Warren Court was discreetly ignored.

Hand's second lecture, "The Fifth and Fourteenth Amendments," repeated Hand's longtime thesis, which Gunther calls "clearly outside the mainstream of modern legal thought," that "due process" and similarly vague constitutional phrases were essentially unenforceable by the courts. But Hand then took the more radical step of singling out *Brown* v. *Board of Education* as an example of unprincipled judicial legislation. The criticism was unexpected, since *Brown* was based, at least ostensibly, on the equal protection clause of the Constitution—a textually enumerated right—rather than on the malleable doctrine of substantive due process.

Hand's final lecture, "The Guardians," was the most startling of all, because it dealt with the First Amendment, a specific command, not marred by the vague language of the due process clause. A close reading of the lecture leaves little doubt that Hand's position in *Dennis* was a matter of personal conviction, and not simply a reluctant surrender to higher authority. Proudly invoking his *Dennis* test, Hand insisted that there was no justification in the Constitution for heightened judicial scrutiny of laws threatening free speech. As in the due process cases, he said, a statute challenged under the First Amendment must prevail "unless the Court is satisfied that it was not the product of an effort impartially to balance the conflicting values." Hand went on to dismiss the religion clauses of the First Amendment as well, suggesting that he would refuse to strike down even a law that forbade the broadcasting of vituperation against a particular religion.

Gunther is surely right to emphasize that "the bleakness, pessimism and extremism of Hand's final major statement did not do full justice to the richness, subtlety and complexity of his lifelong effort to reconcile free expression and judicial restraint." Still, the Holmes lectures cannot be dismissed as an unfortunate aberration; for Hand sounded the same themes repeatedly throughout his career, from his NEW REPUBLIC days onward. The frequently quoted bromides from his "I Am an American Day" address in 1944, for example, are a similarly radical brief for judicial abstinence: "Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it." This is the speech that President Clinton, Attorney General Janet Reno and Senator Carol Mosley-Braun are fond of quoting in their populist moods; if they understood its implications, however, they would find another speechwriter.

What can explain the gap between Hand's eccentric views on constitutional

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interpretation and his sterling reputation as a common law judge? Part of the answer, perhaps, is that private law and constitutional law call for very different styles of adjudication; and Hand, whose docket in New York included few important constitutional cases, never quite appreciated the difference between the two. The most revealing statement in the Holmes lectures is Hand's suggestion that vigorous judicial review of constitutional questions is "apt to interfere with [the] proper discharge" of the judge's vital, less glamorous duties, especially the interpretation of statutes. Hand, in other words, saw constitutional interpretation as less important than statutory interpretation, and he counseled judges to conserve their energy for the higher task. But he based this peculiar conclusion not on the text or structure of the Constitution (which, in fact, establishes the opposite hierarchy between constitutional law and statutory law), but on his own exalted conception of a judge's role.

Set to one side, then, Hand's radical views about the Constitution. Can his reputation be sustained on the strength of his private law opinions? Gunther interestingly and self-consciously ignores Hand's three most famous opinions: the *Carroll Towing* case, in which he proposed a pithy, algebraic formula to determine liability for negligent behavior; the *Aluminum Company* case, which established basic principles of anti-trust law; and the *T.J. Hooper* case, where Hand refused to allow an industry to set its own standards of risk.

None of these opinions is in any way modest or restrained—"Courts must in the end say what is required," Hand announced in *Hooper*—and they suggest that Hand's expressions of weakness and obsequiousness in constitutional cases were designed to offset the broad judicial lawmaking power that he asserted in common law cases. But each of them demonstrates the qualities that have won Hand the respect of legal scholars: scrupulous attention to the facts, a talent for synthesizing and clarifying unruly legal doctrines and an exuberant academic originality.

Henry Friendly, who was Hand's successor as chief judge of the Second Circuit (and a more brilliant constitutional interpreter than Hand), said that "Hand's stature as a judge stemmed not so much from the few great cases that inevitably came to him over the years ... as from the great way in which he dealt with a multitude of little cases, covering almost every subject in the legal lexicon." And Gunther's most fascinating legal analysis focuses on obscure cases, where Hand and his colleagues used pre-conference memoranda to discuss their preliminary conclusions before meeting to vote. The memos, previously unpublished and unexamined, reveal that by complete immersion in the facts of the most esoteric cases, Hand was capable of insights that eluded judges who were less obsessively engaged.

Hand's reputation, in the end, rests as much on his ornate style as on his contributions to legal doctrine. His metaphors, as Carl Landauer has noted, were often deliberately opaque: he wrote of a "perpetual Walpurgisnacht of meaningless agitation," or described a tax measure as "a tempering of the wind to the shorn lamb." His copyright opinions, where he clarified the legal principle that copyright covers only forms of expression, rather than ideas, are perhaps his most impressive achievement; and he had a weakness for flamboyant plot summaries and character descriptions. In the 1931 *Nichols* case, Hand retold four times in succession the story of Madeleine Smith, who poisoned her lover in Glasgow in 1857: he described the historical incident, the play, the novel and finally the movie, before concluding that MGM was guilty of plagiarism. Hand's prose, which he wrote in longhand with a pen that he filled from an eye dropper, may seem a little perfumed for modern tastes, but the infinite pains that Hand took over his opinions—he would often produce thirteen hand-written drafts, demanding criticism from his clerks at every stage—sustained his zenlike focus on the task at hand.

For those of us who tend to lionize judicial craftsmanship, Hand shows its strengths and limitations. The image of the craftsman was one that Hand self-consciously cultivated. From his Harvard teachers, he said in the Holmes lectures, he learned "that it is as craftsmen that we get our satisfactions and our pay." And in a commencement speech at Bryn Mawr in 1927, after attacking the choking conformity of the '20s, Hand argued that creative satisfaction comes from choosing work "because one likes it and for no other end," and from performing it "with an acute sense of craftsmanship." As a principle of self-realization, this is obviously correct; and the creative satisfaction of distilling coherent forms and shapes from the unruly fragments of legal doctrine was, for Hand, a bulwark against uncertainty and paralyzing despair.

But the ultimate test of a judicial opinion is not simply whether it is well-written, or whether it brings creative satisfaction to its author, but whether its arguments are intelligible, if not persuasive. ("Will it wash?" Hand repeatedly asked himself and his clerks.) In constitutional cases one has the sense that Hand's aphorisms sometimes got the better of his syllogisms, and helped to perpetuate his reputation for brilliance even when his conclusions were open to question. It's no wonder that New York lawyers of a certain generation regarded Hand's opinions as less reliable than those of his cousin and colleague, Augustus Hand: they were taught to "quote Learned, but follow Gus." Hand's embrace of constitutional abstinence, in fact, seems as much an aesthetic as a legal position: there is no more elegant point of repose than perfect self-restraint.

In common law cases, by contrast, Hand's meticulous craftsmanship has helped his opinions to endure, even when their legal conclusions have failed to withstand the test of time. In the *Aluminum Company* case, for example, many of Hand's conclusions about anti-trust law, such as his notion that size alone is a sufficient basis for breaking up a firm,

The Accident, 1901

My father, five years old,
wandered idly in the clutter

of turn-of-the-century Harlem,
past the bowfronts

of brownstone houses,
down the avenue of trees,

collecting rainbow leaves
scattered on the sidewalk.

A bright orange leaf
shaped like the palm of a hand

glittered at him from the gutter.
He stepped off the curb,

bent down to pick it up,
when a wagon, drawn by a large

white horse, hurtled
around the corner, its rear

wheel severing his
left index finger.

Horse and driver, heedless,
careened down the century,

leaving behind the stunned
diminished child.

RUTH WHITMAN

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now seem out of date. But the opinion itself remains impressive because of Hand's scrupulousness in disclosing the thought processes of an intelligent judge at work. One sees him considering all sides of the issue, weighing the arguments frankly and defending his conclusions in a reasoned manner.

Hand's legacy as a craftsman is a useful answer to the critics of judicial craftsmanship today. In an article in the *Harvard Law Review* in 1983, Mark Tushnet dismissed the value of craftsmanship as a principle of judicial restraint. The limits of craft are so broad, Tushnet argued, that in any interesting case any reasonably skilled lawyer can reach whatever result he or she wants. For example, Tushnet argued, "it seems to be generally agreed that, as a matter of simple craft, Justice Harry Blackmun's opinion for the Court [in *Roe* v. *Wade*] was dreadful." But to criticize Blackmun for missing the best arguments in *Roe*, Tushnet added, is like saying that a "Cubist portrait does not look like its subject as a member of the Academy would paint it." As long as the result in *Roe* can be defended by better judicial craftsmen than Blackmun, then "the requirements of the craft would mean only that good judges can do things that bad judges cannot without subjecting themselves to professional criticism." Never mind whether *Roe* is more like Picasso or a finger painting. Hand shows that the holding of an opinion is less useful, as a measure of a judge's professional integrity, than the quality of the reasons adduced to defend it; and that the only hope of evaluating whether the reasons have led to the result, or vice versa, is scrupulous full disclosure.

At the end of Gunther's wonderful biography one admires Hand more as a man, but less as a judge, than at the beginning. His anxious self-doubt and his constant striving for personal aesthetic fulfillment through law are inspiring. But judicial abstinence, for all of its elegance, is not an acceptable stance in a constitutional democracy; nor are Hand's mystic appeals to prudence really as restrained as they appear. "While it is proper that people should find fault when their judges fail," Hand wrote, "it is only reasonable that they should recognize the difficulty. Let them be severely brought to book when they go wrong, but by those who will take the trouble to understand them." Gunther helps us respect Hand as a judicial aesthete of the purest kind; but as for the Supreme Court appointment that never came, perhaps it was just as well. •

You deserve a factual look at...

The Golan Heights

To Whom Do They Belong? Can Israel Survive Without Them?

Now that Gaza and part of Judea/Samaria (the "West Bank") have been turned over to the Palestinians, the clamor for peace with Syria becomes ever more strident.It is understood that in order to attain such peace, it will be necessary for Israel to return the Golan Heights to Syria.

What are the facts?

Historical Background—The Golan was always part of the Jewish homeland. The Syrian claim to the Golan is tenuous. Syria, as a political entity, did not exist at all until after the first World War.

Even before the establishment of Israel in 1948, the Syrians subjected the villages in northern Israel to almost daily shellings, making normal life impossible. In the 1967 Six-Day War, Syria attacked Israel and was defeated. Israel occupied the Golan Heights and in 1981, for all practical purposes annexed the area.

Syria and its President—Syria is the most destabilizing influence in the Middle East. It is classified by the U.S. State Department as a narcotic-dealing and terrorist state. Its main fury is directed at Israel, which is perceived as a bulwark of Western influence and civilization, both of which Syria totally rejects.

Syria's President, Hafez Assad, is a tyrant, every bit as cunning as his Iraqi counterpart, Saddam Hussein. Under Assad, Syria is a world center for terrorism. It still harbors Nazi bigwigs who found welcome there after the World War. Few doubt that Assad was the mastermind in the suicide attack on the Marine barracks in Beirut in which 241 Americans died, and in the explosion of PanAm flight #103 in which 270 people lost their lives. He oversees one of the largest narcotics operations in the world.

Military Security—The Golan is about 10 miles wide, with a plateau on either side of a crest. If it were part of Syria it would be less than 1% of its territory. But it is of a supreme strategic importance to Israel. Its high ground provides early-warning capability, without which Israel would be subject to surprise attack by the Syrians. Its loss would obligate Israel to maintain a state of readiness and mobilization that would be economically and socially untenable. On the Golan itself, there are only two natural terrain bottlenecks through which tanks can advance. Those choke points are defensible and made possible the repulse of the 1400 Syrian tanks that attacked Israel in the 1973 war. But with the Golan in Syrian hands, and without the radar installations that would give Israel warning of any military movements, thousands of tanks—backed up by missiles and airplanes—could overrun Israel in a matter of hours. The Golan does not make for perfect defense, but it gives Israel a small breathing space for mobilization.

> "With the Golan in Israeli hands, attacking Arabs could be confident of defeat and peace would be preserved. To hand the Golan to Syria is a prescription for war and for Israel's destruction."

The Golan is the source of over one-third of Israel's fresh water. In 1964, with the Golan in Syrian hands, Syria attempted to divert these headwaters and to cripple Israel's water supply. It is more than likely that, given another opportunity, Syria would once again attempt to destroy Israel's water supply.

The current Israeli government, in its keen desire to bring peace to its people, after almost fifty years of war and bloodshed, would seem prepared to give up the limited strategic security it now enjoys by virtue of its possession of the high ground—the ridges of Judea/Samaria (the "West Bank") and of the Golan Heights. But Israel should not return to the "death trap" borders of 1967 or anything close to it. In order to survive within such borders, Israel would have to rely on the goodwill of the Arab states, all of which—except for the cold peace with Egypt—are still in a declared state of war with Israel. An aggressor will attack only if confident of victory. With the Golan in Israeli hands, attacking Arabs could be confident of defeat, and peace would be preserved. To hand the Golan to Syria is a prescription for war and for Israel's destruction.

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WASHINGTON DIARIST

FTV

WHEN I WALKED INTO THE CNN Washington bureau one afternoon a few weeks ago a sea of televisions was spraying images and sound. Nothing unusual about that. CNN journalists, fittingly enough, conduct their business in a video haze—T.V.s everywhere, usually on. Quite a contrast to the devotional silence in which TNR staff members sculpt our exquisite *pensées*. Oh, some of the interns here—and even one or two of the younger editors—are plugged into their own private Walkmans, listening to heaven knows what, as they go about their daily routine of excoriating the Serbs and holding President Clinton to the very highest standards of excellence. But by and large THE NEW REPUBLIC is a media-free zone. The stillness is broken only by the soft plop of insights as they drop to the ground like ripe fruit; the whoosh of the air pumps as moral principles are inflated; and the occasional loud joke from the editor-in-chief's butler.

THE ATMOSPHERE AT CNN, AS I SAY, is not like that. But on this particular day the T.V.s were not merely functioning as decor—noisy, moving wallpaper. People were actually watching, riveted. It was Jackie O's funeral. I hadn't witnessed such fascination since—well, since Nixon's funeral a couple of weeks earlier. Thus it was I had my brilliant idea. With any entrepreneurial spunk at all, I would use it to get rich. Instead, with the true journalist's mentality, I am squandering it in order to fill a couple column-inches of type. But my tragedy is your opportunity. Are you ready?

O.K., HERE IT IS. A NEW CABLE NETwork: "The Funeral Channel." Call it TFC, or FTV, or possibly D-SPAN. You get the idea: like Court T.V., only funerals instead of trials. All funerals, all the time. (Or perhaps the mission could be expanded to include televised executions, when those inevitably become available.) It's a natural, don't you agree? There would be no shortage of material: people would be dying (har har) to have their last rites broadcast around the world. Of course you couldn't count on having a Nixon or a Jackie O every day of the week. But our media culture is now a bottomless pit of lesser celebrities. And there is drama to be found in every life, which the voice-over commentators—liberated by the subject's death from considerations of tact or libel law—would be free to embroider and exaggerate. ("That's his third wife over there, Walter, exchanging phone numbers with the driver of the hearse. She was his daughter's gymnastics instructor when they met. The family blames her for the double back-flip that killed him—but a man of 78 should have known better, don't you think?" "Yes, indeed, Sharon, but he never had much sense. And, I might add, his children all hated him. He left all the money to the ASPCA, and boy are they steamed! We'll be interviewing them up here in the booth. But first, these messages . . . ") Oh, yes. After the eulogies there could be a "Crossfire"-style debate called, "Heaven or Hell?" Take it away, Barry Diller.

PERHAPS THE FUneral Channel will restore some of the glamour to being on television. Having your corpse on T.V. may still be prestigious in a way that being televised while alive and breathing no longer is. Warhol's famous dictum needs to be modified: in the future, everyone will be on television for at least fifteen minutes. And the future is almost here. Indeed, I play a little game while channel-grazing. I keep clicking until I see someone I know personally. Yes, being a Washington journalist makes the game easier. But I do have a few rules. Professional colleagues from CNN don't count. Nor do genuine celebrities or politicians whose hand you once might have shaken. It's got to be someone you don't automatically expect to find on T.V. It might be a professor whose piece I once edited at TNR, speaking at a conference on health care reform picked up by C-SPAN. Or a forgotten high school classmate who seems to have become an expert on nuclear proliferation, opining away on "The MacNeil/Lehrer NewsHour." Or a friend's former girlfriend who has suddenly remembered she was raped by her father at age 3, and is regaling the audience on one of the "Oprah" clones. Or (a genuine sighting) it might be a former TNR literary department intern—last seen returning people's poetry to them in stamped, self-addressed envelopes—who resurfaced years later as the Court T.V. reporter covering the Menendez brothers trial. Whatever. But with 100-plus channels on my local cable system, it rarely takes more than five minutes to score.

IT'S NOT JUST CABLE THAT'S ERODing the glamour of television. A few years ago, in the early days of my own media exposure, I used to be an occasional substitute on "The McLaughlin Group." One weekend, after taping a show, I flew off to visit friends in St. Louis. In a weak moment, I shamefully attempted to impress the children. "Hey kids, wanna see Uncle Mike on T.V.?" Sure, they answered politely. I turned on the tube and—presto!—there I was. Well, I was impressed, but they didn't seem to be, and wandered off after a minimally decent interval. Why? I launched an investigation. (Or, as we say on T.V., a "special investigation.") It turns out that they'd been seeing themselves on T.V. since birth, thanks to their parents' videocam, so to them it was no big deal. I started to explain that there's a difference, but thought better of it. Is there?

PHIL DONAHUE HAD on Khalid Muhammed the other day. He's the anti-Semite loon who works for Louis Farrakhan, the anti-Semite loon. My second thought, watching the program while on my exercise machine, was, "Shame on Phil Donahue for giving this demagogue airtime." Donahue played a tape of some of Muhammed's famous ravings about hook-nosed, lox-eating Jews running the slave trade, and so on. Muhammed was unapologetic. Then Phil went in for the kill, or so he thought. He asked, in a tone of whipping out his trump card: What about Schwerner and Goodman? Don't these two young Jewish martyrs of the civil rights movement prove that not all Jews are racists? But Muhammed returned that volley with the ease of a professional. He said, agreeably: "O.K.—that's two." Point and game, Mr. Muhammed. The audience was overwhelmingly on Muhammed's side, and the sentiments expressed by the few who opposed him were just as ugly. Phil, you can't win an argument with the likes of Khalid Muhammed. By putting him on the air, you lose. As I say, that was my second thought. My first thought, unfortunately, was, "What a great booking! How'd they get him?"

DISGRACEFUL, OF COURSE. BUT AT least I did have that second thought. Another great thing about FTV, though, is that no such second thoughts will be necessary. The more morally dubious the guest of honor, the more the righteous may enjoy the show.

MICHAEL KINSLEY

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Where We Stand

By Albert Shanker, President
American Federation of Teachers

It's Time for a Decision

As the health care debate draws to a climax, we're hearing talk that is bound to make many people uneasy about changing the current system. Business groups say that universal health care will create an intolerable burden for small businesses and put many successful companies at a big disadvantage. Insurance groups run ads that are designed to make people worry that health care reform will leave them with poorer coverage than they have now. And doctors' offices are filled with materials about how universal coverage will damage the quality of health care. Some doctors are telling patients, as they provide a particular service, "I don't know that *this* would be covered if we had a national health care plan." That's pretty potent stuff.

One thing we have to keep in mind is that the U.S. is the only advanced industrial democracy in which every single person does not have health insurance. And it's not that Denmark and Japan and Australia spend more money than we can afford on health care—in fact, we pay 35 to 40 percent more than they do for a system that excludes an estimated 38 million Americans. The experience of these other countries shows that there are many different ways of organizing national health care. There's no question that we can figure out a system that will work for us.

Our system lavishes the best health care in the world on the people who can afford it, but it becomes more expensive and less accessible by the year.

An issue that has many people worried is the payment mechanism for a national health care system. There are several possibilities, but the so-called employer mandate, which the Clinton administration favors, has a lot going for it. Under the employer mandate, an employer will pay a specified percentage of the costs for health coverage and the employee will pay the rest. That's the way it works with Social Security, and it's the way most people pay for their health insurance now. Small companies for whom the health premiums would be an unreasonable burden will receive subsidies. Since most workers are already insured at their place of business and since at least one member of most U.S. families works, this system would take advantage of an existing mechanism to provide nearly universal coverage. The employer-mandate mechanism would be efficient, and it would require no new bureaucracy. But opponents are saying that it would be an unfair burden on American businesses. I don't see that.

Many employers now pay for their employees' health care—it is already a cost of doing business—and the employer-mandate plan calls for the federal government to help the smallest businesses with their costs. What about the rest? Wouldn't universal health care put them at a competitive disadvantage? Not at all.

The owner of a large pizza chain was on national television a few weeks ago talking about how he'd like to provide health benefits for his employees, but he simply can't afford it. If he were obliged to, he said, he would have to fire people, and the future of his business might be threatened. What he didn't say was that if national health care premiums forced him to raise the price of a large pizza by 15 cents, his competitors would be in exactly the same boat. Everybody's pizza would go up by the same amount, and no one would be a loser relative to his competitors.

It's our present system that puts nice guys at a competitive disadvantage. Suppose you really want to give your employees health insurance because you appreciate their loyalty and hard work. If your competitors don't also provide it for their employees, you will have to make up for the money you spend by putting less cheese on your pizzas than the chain across the street or finding a way to get thinner slices of pepperoni. That really could have an impact on your sales. Your generosity takes money out of your pocket, and it puts money in the pocket of your competitor who cares less about the well-being of his employees. The employer-mandate plan for financing health care would level the playing field.

But health care is not just a question of economics—it's also a moral issue. Our system lavishes the best health care in the world on the people who can afford it, but it becomes more expensive and less accessible by the year. Millions who now have health insurance watch their benefits diminish year by year. And they wonder when they will lose all coverage because they have changed jobs or someone in their family has developed an "uninsurable" condition.

At some point, every other advanced industrial democracy has decided that people who live in a humane society should not have to worry about getting medical care when they are sick. It's time for us to make that decision, too.

Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1994 by Albert Shanker.

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